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No. 31

House of Representatives

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. TERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 26, 2003.

I hereby appoint the Honorable LEE TERRY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Come Holy Spirit, enlighten the hearts of those who are faithful and tireless in securing equal justice under the law. Fulfill the hopes of those who long for peace and security for their children. Guide and protect all elected officials and all who choose to serve this Nation and local communities through public service.

May Your will be done in and through those who pray for Divine Guidance and who trust in Divine Providence; even in the midst of conflicting opinions, philosophical differences, and the threat of violence.

Unite Your people and keep them focused on essentials that reflect Your kingdom. May the fire of Divine Love and human freedom renew the face of the Earth, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. McNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. McNULTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION AS MEMBER OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Standards of Official Conduct:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 25, 2003.

Hon. DENNIS HASTERT,
*Office of the Speaker, U.S. Capitol,
Washington, DC.*

DEAR MR. SPEAKER: I respectfully resign from the Committee on Standards of Official Conduct, having completed three terms as ranking member of the Committee.

Sincerely,

HOWARD L. BERMAN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. MENENDEZ. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 104) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 104

Resolved, That the following named Members and Delegates be and are hereby elected

to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE: Mr. Lucas of Kentucky (to rank immediately after Mr. Boswell).

(2) COMMITTEE ON THE BUDGET: Mr. Kind.

(3) COMMITTEE ON GOVERNMENT REFORM: Ms. Norton (to rank immediately after Mr. Ruppersberger).

(4) COMMITTEE ON SMALL BUSINESS: Mrs. Christensen (to rank immediately after Mr. Ryan of Ohio), Mr. Davis of Illinois (to rank immediately after Mrs. Christensen), Mr. Gonzalez (to rank immediately after Mr. Davis of Illinois), Ms. Majette (to rank immediately after Ms. Bordallo).

Mr. MENENDEZ (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Requests for 1 minutes are delayed until the end of business.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6, rule XX.

Any record vote on a postponed question will be taken later today.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H1337

CELEBRATING THE 140TH ANNIVERSARY OF THE EMANCIPATION PROCLAMATION AND COMMENDING ABRAHAM LINCOLN'S EFFORTS TO END SLAVERY

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 36) encouraging the people of the United States to honor and celebrate the 140th anniversary of the Emancipation Proclamation and commending Abraham Lincoln's efforts to end slavery.

The Clerk read as follows:

H. CON. RES. 36

Whereas Abraham Lincoln, the sixteenth President of the United States, issued a proclamation on September 22, 1862, declaring that on the first day of January, 1863, "all persons held as slaves within any State or designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free";

Whereas the proclamation declared "all persons held slaves within the insurgent States"—with the exception of Tennessee, southern Louisiana, and parts of Virginia, then within Union lines—"are free";

Whereas, for two and half years, Texas slaves were held in bondage after the Emancipation Proclamation became official and only after Major General Gordon Granger and his soldiers arrived in Galveston, Texas, on June 19, 1865, were African-American slaves in that State set free;

Whereas slavery was a horrendous practice and trade in human trafficking that continued until the passage of the Thirteenth Amendment to the United States Constitution ending slavery on December 18, 1865;

Whereas the Emancipation Proclamation is historically significant and history is regarded as a means of understanding the past and solving the challenges of the future;

Whereas one hundred and forty years after President Lincoln's Emancipation Proclamation, African Americans have integrated into various levels of society; and

Whereas commemorating the 140th anniversary of the Emancipation Proclamation highlights and reflects the suffering and progress of the faith and strength of character shown by slaves and their descendants as an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the historical significance of the 140th anniversary of the Emancipation Proclamation as an important period in the Nation's history; and

(2) encourages its celebration in accordance with the spirit, strength, and legacy of freedom, justice, and equality for all people of America and to provide an opportunity for all people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that

all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the distinguished gentleman from Illinois (Mr. DAVIS), the ranking member on the Subcommittee on Civil Service, Census and Agency Organization of the Committee on Government Reform, introduced H. Con. Res. 36 on February 12, 2003. I am honored to be an original cosponsor of this legislation.

Abraham Lincoln, our 16th President, issued a preliminary proclamation on September 22, 1862, granting freedom to slaves in territories that were in rebellion. The official Emancipation Proclamation was issued on January 1, 1863. It was a straightforward document, much like the President himself, and was based on his right as the Commander in Chief during the Civil War.

Though the Emancipation Proclamation was limited in scope, acclaimed by some, and denounced and condemned by others, ultimately it was a landmark as expressed in the 13th amendment: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Historians report several revisions and compromises of the proclamation, but Lincoln's personal wish, as expressed in his letter to Horace Greeley, editor of the New York Tribune, had always been that all men everywhere could be free.

Much has been accomplished in our Nation since 1863 by freed men and women and their descendants in every sphere of our national life; this, in spite of great adversity, but with utmost determination of spirit and soul. History has shown us that to surge to greatness, as a Nation or as an individual, humans must be free.

We must never forget our history, we must never forget the steadfastness of the President who was rightly called the Great Emancipator. We must never tolerate mental or physical slavery in our Nation or any nation.

Mr. Speaker, H. Con. Res. 36 has been cosponsored by 115 cosponsors from both sides of the aisle. I believe this bill, introduced by our colleague, the gentleman from Illinois, the Land of Lincoln, to be representative of the conviction of this body and I, therefore, urge our colleagues to support H. Con. Res. 36. Again, I thank the distinguished gentleman from Illinois for his work on bringing this meaningful resolution to the floor.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as ranking member of the Subcommittee on Civil Service, Census and Agency Organization, I want to first of all thank the gentlewoman from Virginia (Mrs. JO ANN DAVIS), the chairman of the subcommittee, for her cosponsorship of this resolution and for helping to quickly move it to the House floor for action.

House Concurrent Resolution 36 encourages the people of the United States to honor and celebrate the 140th anniversary of the Emancipation Proclamation and commends President Abraham Lincoln's efforts to end slavery.

Though a man of humble beginnings, Abraham Lincoln rose to become the 16th President of the United States of America and became the man who attempted to end the heinous act of slavery while preserving the Union.

On January 1, 1863, Abraham Lincoln signed the Emancipation Proclamation. It was an historic act, because it freed many slaves and made a statement about the cruelty of slavery. The premise of the Emancipation Proclamation can be linked to a speech Lincoln made at Gettysburg in which he stated, "Four score and 7 years ago our fathers brought forth upon this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal."

President Lincoln's proclamation did not end slavery. The 13th amendment to the United States Constitution did that on December 18, 1865. The 14th amendment established Negroes citizens of the United States, and the 15th amendment granted Negroes the right to vote. It was the Emancipation Proclamation, however, that paved the way for these amendments to the Constitution.

Our citizenship and privileges of blacks were always questioned and, in many situations, denied until passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. This was 39 years ago that Jim Crow laws were subjugating and denying Negroes the right to vote in certain southern States, the imposition of poll taxes, the segregation of schools, housing, bus and train transportation, restrooms, and other public accommodations. Since the struggle of the civil rights movement in the 1950s and 1960s, many African Americans are still seeking economic emancipation, equality in education, employment, business, housing, health care, and access to capital. Although African Americans as a people have made great strides in America, we still have a long way to go to achieve and live up to the creed of America's Founding Fathers that all men are indeed created equal.

When it comes to equality in homeownership, the rate among white households is about 74.2 percent, compared to 47.1 percent for African Americans. This huge gap between white and black homeowners will continue to be the primary factor that will undermine

the growth of African Americans and their family structure to obtain wealth, capital assets, and better neighborhoods.

When it comes to equality in education, the number of whites who possess bachelor's or higher degree is about 34 million compared to 2.6 million for blacks.

For post-secondary education, whites are about 72 percent compared to 11 percent for blacks who are attending degree-granting colleges and universities.

As for poverty, there are 32.9 million poor people in America. The poverty rate is about 22.7 percent for blacks compared to 9.9 percent for whites. The unemployment rate for whites is 3.3 percent compared to 6.3 percent for blacks who are continuing to seek employment.

When it comes to crime and justice, America is 5 percent of the world's population, but 25 percent of the world's prison population is in U.S. jails and prisons. The United States incarcerates 2,100,146 persons. Whites are about 36 percent compared to 46 percent for blacks in prisons. As some of us know, about 70 percent of the prison population is attributed to drug convictions. The law is not equally applied when it comes to drug offenses involving crack and powder cocaine. Five grams of crack cocaine brings a mandatory sentence of 5 years, compared to 5 grams of powder cocaine which has no sentencing requirements, and the possessor of powder cocaine may get probation. Mr. Speaker, 89 percent of the blacks are sentenced for crack cocaine possession, compared to 75 percent for whites who possess powder cocaine. Yet, 59 percent of the users of crack cocaine are white.

Equality is the principle and spirit of the Constitution where all men and women are seen as God's children created in His image. And if this was accomplished, then African Americans would have 2 million more high school diplomas, 2 million more college degrees, nearly 2 million more professional and managerial jobs, and nearly \$200 billion more in income. And if America practices equality in housing, then African Americans would own 3 million more homes. If America had equality in access to capital and wealth, then African Americans would have \$1 trillion more in wealth.

Mr. Speaker, although we passed the Emancipation Proclamation and although we have come a great distance, there are still some roads to travel. So I encourage all of my colleagues to embrace and support this resolution as a tool to reflect the spirit, strength, and legacy of freedom, justice, and equality for all people of America and to provide an opportunity for all people of the United States to learn more about the past and know how we can build a better future.

Mr. Speaker, I reserve the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I am pleased to yield 5 min-

utes to the gentleman from Illinois, the Land of Lincoln, (Mr. LAHOOD), my distinguished colleague.

(Mr. LAHOOD asked and was given permission to revise and extend his remarks.)

□ 1315

Mr. LAHOOD. Mr. Speaker, I thank the gentlewoman for yielding time to me, and I thank the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) for this important concurrent resolution.

Mr. Speaker, it is with great enthusiasm that I rise in support of House Concurrent Resolution 36 offered by my friend and colleague, the gentleman from Illinois (Mr. DAVIS). The Emancipation Proclamation transformed the Civil War into a war of liberation, and changed American history forever.

140 years ago last month the United States took the first bold step towards a new birth of freedom. Abraham Lincoln was well aware of the epic importance of the Emancipation Proclamation. Before signing it in his office in the White House on January 1, 1863, he looked at those around him and remarked: "I never in my life felt more certain that I was doing right than I do in signing this paper."

His hand was sore from greeting thousands of guests at the annual New Year's reception; and he took a moment to steady his hand, unwilling to have his signature appear wavering or hesitant. Finally, he signed the document with his full name, as he very rarely did.

Lincoln's issuance of the Emancipation Proclamation was a remarkable act of political courage. After the preliminary proclamation was released on September 22, 1862, reaction in the North was harshly critical. The Republican Party lost seats in the congressional elections that year, and New York City later erupted into riots, partly as a result of the outrage over the proclamation. The year after the proclamation was issued, President Lincoln wrote: "I am naturally anti-slavery. If slavery is not wrong, nothing is wrong."

It was this core principle, combined with enormous courage, that led the President to draft and sign the historic document we celebrate today. One of Lincoln's most distinguished biographers has called the proclamation the single most revolutionary document in our history after the Declaration of Independence.

Yet Lincoln clearly defined the Emancipation Proclamation as a war measure justified by military necessity. He knew that the permanent destruction of slavery would require more than a proclamation signed by the President. Therefore, he labored mightily to ensure the passage of the 13th amendment abolishing slavery forever. Lincoln had so identified himself with the cause of freedom by the end of the war that he signed the 13th amendment, though not constitutionally required to do so.

The legacy of Lincoln as the emancipator will be among the subjects addressed by the Abraham Lincoln Bicentennial Commission, on which I am honored to serve as co-chair. Created by the Congress, comprised of scholars, collectors, political leaders, and jurists, the commission is charged with planning the annual celebration of Lincoln's 250th birthday.

Therefore, as a representative of the same district that sent Abraham Lincoln to Congress for one term, and as the co-chair of the Abraham Lincoln Bicentennial Commission, I urge all of my colleagues to support this important continuing resolution.

Again, I thank both the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) for this important concurrent resolution brought to the House floor today.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not believe that I have any other requests for time, but I would indicate that I am again pleased and proud to live in the State of Illinois, the home of Lincoln, the man who signed the Emancipation Proclamation and made a great movement towards freeing the slaves in this country.

I also want to thank my colleague, the gentleman from Illinois (Mr. LAHOOD), for his comments, and again thank the gentlewoman from Virginia (Mrs. JO ANN DAVIS), the chairman of the subcommittee, for her co-sponsorship and swift action on moving this resolution to the floor; and I urge all of my colleagues to support this concurrent resolution.

Mr. Speaker, I yield back the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I am pleased to yield 5 minutes to my colleague, the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 36, which encourages the people of the United States to honor and celebrate the 140th anniversary of the Emancipation Proclamation, and commend President Abraham Lincoln's efforts to end slavery in the United States.

140 years ago a bloody war still raged across our land, a war that cost the lives of more Americans than all other wars in our history combined. This summer will mark the turning point of that war as we celebrate the 140th anniversary of the Battle of Gettysburg.

Earlier, on September 22, 1862, President Abraham Lincoln took the first step toward establishing as the object of the Civil War the total abolition of slavery. He and his political party, the Republican Party, had made as their first goal the restriction of the expansion of slavery. Now he would make the Nation's goal the abolition of slavery itself.

Boldly, Lincoln declared free all those persons held as slaves within the insurgent States as of January 1, 1863. This was a daring political move which was strongly opposed by the Democratic Party of that day. After the end of the Civil War and Lincoln's assassination in 1865, his fellow Republicans in Congress and in State legislatures got passed and ratified the 13th amendment to the Constitution, totally abolishing slavery in the United States.

Our Civil War was turned by President Abraham Lincoln, it was turned from just a civil war between States into a moral crusade against the abomination of human slavery. President Lincoln knew that all war brings suffering, and he knew that we had to make sure that the ends of any war must justify the suffering that war entails. As a Republican, I am proud to claim Lincoln's legacy for the Republican Party and the principles of liberty for all Americans, regardless of race and color.

Recently, I had the opportunity to appear in the Civil War movie "Gods and Generals." I portrayed an officer in the Union Army staff of Colonel Joshua Chamberlain, and I was proud to wear that blue Union uniform that fought for the noble cause of ending slavery and freeing those held in human bondage.

Today our Nation stands on the brink of another war, a war that will also bring suffering, like all wars do, but will, like our Civil War, have noble ends. The liberation of people and destruction of evil are indeed noble ends.

In the movie "Gods and Generals," Colonel Joshua Chamberlain understood that principle, and understood that these principles are worth fighting for and dying for. In one scene, he turns to his brother and observes: "I will admit it, Tom, war is a scourge, but so is slavery. It is the systematic coercion of one group of men over another. It is as old as the Book of Genesis, and has existed in every corner of the globe, but that is no excuse for us to tolerate it here when we find it before our eyes and in our own country."

The Civil War still has the power to stir modern-day controversy. Nevertheless, I hope that 140 years after the issuance of the Emancipation Proclamation that all Americans will join us in celebrating President Lincoln's efforts to end slavery; and this legacy, this legacy should unite all Americans as we strive to make this a country, even though we still have faults, though we have many things to overcome, to try our best to correct those faults that we have; but we can be united to try to make this a country with liberty and justice for all.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would again like to thank my distinguished colleague, the ranking member on the Subcommittee on Civil Service and Agency Organization, for introducing this important piece of legislation.

Mr. TIAHRT. Mr. Speaker, I rise today to voice my support for H. Con. Res. 36, a resolution encouraging the people of this nation to honor and celebrate the 140th anniversary of the Emancipation Proclamation and commending President Abraham Lincoln's effort to end slavery. In issuing the Emancipation Proclamation on September 22, 1862, President Lincoln performed one of the most important and far-reaching acts that our nation has ever undertaken.

Following the Union's costly victory at the Battle of Antietam, President Lincoln concluded that the emancipation of slaves was not only a military necessity, but more importantly, a moral imperative. Thus, President Lincoln issued his landmark decree. He was aware of the historical significance of this action, but with victory in the war still very much in doubt, was unsure of its ultimate consequences. In closing the Proclamation, Lincoln wrote, "And upon this Act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God."

By issuing the Emancipation Proclamation, President Lincoln made it clear to Americans and the rest of the world that the Civil War was not about simply preserving the Union; in fact, the Civil War was now being fought to bring an end to the evil of slavery. Further, the Proclamation reconciled one of the fundamental dichotomies of the early American experience; the self-evident truths outlined in the Declaration of Independence and the existence of the institution of slavery.

In closing, it is fitting that we pause to remember this watershed moment in our nation's history. We shouldn't, and I don't believe we ever will, forget the horror of slavery. On the same note, I doubt we will ever forget the lessons of the years that have followed the Emancipation Proclamation and the end of the Civil War—the struggle for equal rights, equal opportunities, and equal treatment under the law for all women and men, regardless of religion, race, or political beliefs.

I am grateful for this opportunity to honor President Abraham Lincoln and the brave men who fought to ensure that the Emancipation Proclamation applied to the whole nation. May God continue to bless America and help us spread worldwide the knowledge that all men are created equal and should be treated as such.

Mr. PAUL. Mr. Speaker, I am pleased to support H. Con. Res. 36. Friends of human liberty should celebrate the end of slavery in any country. The end of American slavery is particularly worthy of recognition since there are few more blatant violations of America's founding principles, as expressed in the Constitution and the Declaration of Independence, than slavery. In order to give my colleagues, and all Americans, the opportunity to see what President Lincoln did and did not do, I am inserting the Emancipation Proclamation into the RECORD.

While all Americans should be grateful that this country finally extinguished slavery following the Civil War, many scholars believe that the main issue in the Civil War was the proper balance of power between the states and the federal government. President Lincoln himself made it clear that his primary motivation was to preserve a strong central government. For example, in a letter to New York

Tribune editor Horace Greeley in 1862, Lincoln said: "My paramount object in this struggle is to save the Union, and it is not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps to save the Union."

In conclusion, Mr. Speaker, I encourage all freedom-loving Americans to join me in celebrating the end of slavery.

THE EMANCIPATION PROCLAMATION

By the President of the United States of America:

A PROCLAMATION

Whereas on the 22nd day of September, A.D. 1862, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the 1st day of January, A.D. 1863, all persons held as slaves within any State or designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the executive will on the 1st day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State or the people thereof shall on that day be in good faith represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such States shall have participated shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State and the people thereof are not then in rebellion against the United States."

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this 1st day of January, A.D. 1863, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the first day above mentioned, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States the following, to wit:

Arkansas, Texas, Louisiana (except the parishes of St. Bernard, Palquemes, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terrebone, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Anne, and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be, free; and that the Executive Government of the United States, including

the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all case when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

Mr. WELLER. Mr. Speaker, I rise today to honor the 140th Anniversary of the Emancipation Proclamation.

On January 1, 1863, as the nation approached its third year of the Civil War, President Abraham Lincoln issued the Emancipation Proclamation to grant freedom to all slaves. The proclamation declared "that all persons held as slaves . . . shall be then, thenceforward, and forever free".

Not only did the Proclamation liberate the slaves, but it announced the acceptance of black men into the Union Army and Navy. By the end of the war, almost 200,000 black soldiers and sailors had fought for the Union and freedom.

Mr. Speaker, the Emancipation Proclamation can be considered one of the greatest documents of human freedom. I am honored to speak on the House floor today with my highest regards to President Lincoln's actions and accomplishments.

I am proud to say that Abraham Lincoln was elected to the state legislature in my home state of Illinois in 1834. He served the wonderful people for four successive terms until he was later elected in Congress in 1846.

Mr. Speaker, I applaud and commend Abraham Lincoln's efforts to abolish slavery and I would like to encourage the citizens of the United States to celebrate the 140th Anniversary of the Emancipation Proclamation. Thank you.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 36.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EMERGENCY SECURITIES RESPONSE ACT OF 2003

Mr. GARRETT of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 657) to amend the Securities Exchange Act of 1934 to augment the emergency authority of the Securities and Exchange Commission, as amended.

The Clerk read as follows:

H.R. 657

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Emergency Securities Response Act of 2003".

SEC. 2. EXTENSION OF EMERGENCY ORDER AUTHORITY OF THE SECURITIES EXCHANGE COMMISSION.

(a) EXTENSION OF AUTHORITY.—Paragraph (2) of section 12(k) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(k)(2)) is amended to read as follows:

"(2) EMERGENCY ORDERS.—(A) The Commission, in an emergency, may by order summarily take such action to alter, supplement, suspend, or impose requirements or restrictions with respect to any matter or action subject to regulation by the Commission or a self-regulatory organization under the securities laws, as the Commission determines is necessary in the public interest and for the protection of investors—

"(i) to maintain or restore fair and orderly securities markets (other than markets in exempted securities);

"(ii) to ensure prompt, accurate, and safe clearance and settlement of transactions in securities (other than exempted securities); or

"(iii) to reduce, eliminate, or prevent the substantial disruption by the emergency of (I) securities markets (other than markets in exempted securities), investment companies, or any other significant portion or segment of such markets, or (II) the transmission or processing of securities transactions (other than transactions in exempted securities).

"(B) An order of the Commission under this paragraph (2) shall continue in effect for the period specified by the Commission, and may be extended. Except as provided in subparagraph (C), the Commission's action may not continue in effect for more than 30 business days, including extensions.

"(C) An order of the Commission under this paragraph (2) may be extended to continue in effect for more than 30 business days if, at the time of the extension, the Commission finds that the emergency still exists and determines that the continuation of the order beyond 30 business days is necessary in the public interest and for the protection of investors to attain an objective described in clause (i), (ii), or (iii) of subparagraph (A). In no event shall an order of the Commission under this paragraph (2) continue in effect for more than 90 calendar days.

"(D) If the actions described in subparagraph (A) involve a security futures product, the Commission shall consult with and consider the views of the Commodity Futures Trading Commission. In exercising its authority under this paragraph, the Commission shall not be required to comply with the provisions of section 553 of title 5, United States Code, or with the provisions of section 19(c) of this title.

"(E) Notwithstanding the exclusion of exempted securities (and markets therein) from the Commission's authority under subparagraph (A), the Commission may use such authority to take action to alter, supplement, suspend, or impose requirements or re-

strictions with respect to clearing agencies for transactions in such exempted securities. In taking any action under this subparagraph, the Commission shall consult with and consider the views of the Secretary of the Treasury."

(b) CONSULTATION; DEFINITION OF EMERGENCY.—Section 12(k) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(k)) is further amended by striking paragraph (6) and inserting the following:

"(6) CONSULTATION.—Prior to taking any action described in paragraph (1)(B), the Commission shall consult with and consider the views of the Secretary of the Treasury, Board of Governors of the Federal Reserve System, and the Commodity Futures Trading Commission, unless such consultation is impracticable in light of the emergency.

"(7) DEFINITIONS.—

"(A) EMERGENCY.—For purposes of this subsection, the term 'emergency' means—

"(i) a major market disturbance characterized by or constituting—

"(I) sudden and excessive fluctuations of securities prices generally, or a substantial threat thereof, that threaten fair and orderly markets; or

"(II) a substantial disruption of the safe or efficient operation of the national system for clearance and settlement of transactions in securities, or a substantial threat thereof; or

"(i) a major disturbance that substantially disrupts, or threatens to substantially disrupt—

"(I) the functioning of securities markets, investment companies, or any other significant portion or segment of the securities markets; or

"(II) the transmission or processing of securities transactions.

"(B) SECURITIES LAWS.—Notwithstanding section 3(a)(47), for purposes of this subsection, the term 'securities laws' does not include the Public Utility Holding Company Act of 1935 (15 U.S.C. 79a et seq.)."

SEC. 3. PARALLEL AUTHORITY OF THE SECRETARY OF THE TREASURY WITH RESPECT TO GOVERNMENT SECURITIES.

Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5) is amended by adding at the end the following new subsection:

"(h) EMERGENCY AUTHORITY.—The Secretary may by order take any action with respect to a matter or action subject to regulation by the Secretary under this section, or the rules of the Secretary thereunder, involving a government security or a market therein (or significant portion or segment of that market), that the Commission may take under section 12(k)(2) of this title with respect to transactions in securities (other than exempted securities) or a market therein (or significant portion or segment of that market)."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentleman from Pennsylvania (Mr. KANJORSKI) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. GARRETT).

GENERAL LEAVE

Mr. GARRETT of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 657.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GARRETT of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise now in support of adoption of H.R. 657. This is a bill that would amend the Securities and Exchange Act of 1934, and it will augment the emergency authority of the Securities and Exchange Commission.

The SEC played a crucial role in the recovery of our financial markets from the devastating effects of the terrorist attacks back on September 11. This legislation now extends that emergency authority and also the flexibility of the SEC from 10 business days to 30 business days, with the possibility of an additional 90 days thereafter, to respond to emergency situations such as 9-11. By extending this emergency authority, this bill will ensure that the SEC has the ability to immediately provide stability and liquidity to our markets following such an emergency as that.

After the damage to Lower Manhattan on September 11, which, as we know, Mr. Speaker, is the home of the world's stock market, the New York Stock Exchange, they suspended the operations of the U.S. equities market for the longest time since World War I.

To facilitate the planned reopening of our markets, the SEC used for the first time ever its emergency powers to temporarily ease regulatory restrictions. All of the security markets were open, amazingly, for trading by September 17, 2001. The actions of the SEC ensured an orderly reopening of the markets, something that was in the interests of everyone, the economy and investors alike.

H.R. 657, what it does further is to eliminate any question that anyone may have of the SEC's abilities to increase liquidity and extend the duration of the relief to our marketplace. Should, unfortunately, another financial crisis occur, I am confident that by us giving them this emergency authority, they will be able to restore fair and orderly markets and prevent substantial disruption to our marketplace.

Mr. Speaker, I would also point out that the manager's amendment that we have that I am offering today amends this legislation to clarify a couple of points; first of all, the exclusion for exempted securities from the new emergency authority that the bill grants to the SEC. What this does is it preserves the regulation of government securities as it stands under the current law with respect to the Secretary of the Treasury.

It also extends the SEC's emergency authority to clearing organizations for exempted securities, so the commission will be able to take actions regarding clearing of the government securities. In addition to this, the Commission is required now under these amendments to consult with the Treasury prior to using their authority.

□ 1330

It requires a commission to consult with the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, and the Commodity Fu-

tures Trading Commission to, of course, the extent practical under the circumstances prior to its using its national emergency authority to suspend trading in our national marketplace.

When you think about it, this is really simply good government. The commission did consult with its fellow financial regulators during the aftermath of September 11 in order to determine what steps were necessary at that time. And so what we are doing with this legislation now is it will ensure that this commonsense practice that they did in the past, that they will do in the future as well.

Finally, this amendment grants to the Secretary of the Treasury new emergency authority similar to what the bill granted to the Commission. This new authority will enable the Treasurer to take action by order as opposed to rulemaking. Now this new authority, it should be clearly pointed out here, is specifically limited to apply only to matters under the Treasurer's existing regulatory position that affects government securities. So it does not, for example, grant the Treasurer the authority to close down the government securities market.

I would also like to point out, Mr. Speaker, that this amendment does not specifically require the commission to consult with its sister regulators prior to using the emergency authority that this bill sets out under 12(k)(2), the section that does not address trading suspension. And there is a reason for this. This is because there are instances in which the commission would be using its emergency authority to address issues that do not have to have an impact on areas within other financial regulatory authority. For example, lifting the requirement that mutual fund directors meet in person, in the event travel is rendered difficult or impossible because of such an emergency as that.

However, it is my expectation that the commission will consult with the Secretary of the Treasury and the other regulators at the time, as I mentioned previously, prior to using their new authority, where such use would have a broad financial market impact and would affect areas within those entities, their particular entities' jurisdiction. And this is exactly what the commission did back on 9/11 when the emergency occurred.

I would also expect the commission to apply this cooperative and, as I said earlier, commonsense approach to this new emergency authority by ensuring that all affected regulators are consulted whenever necessary.

When we think back now, back to September 11, 2001 and the terrorist attacks and how much they inflicted great human and physical loss in New Jersey and upon the constituents in New Jersey's Fifth Congressional District, my district, in the event of another large-scale disaster, the Emergency Response Security Act here before us gives the SEC the additional

emergency authority to protect the operational resilience of our financial markets. This legislation ensures the health and future of America's economy which relies heavily upon the future of America's economy and upon the access to our markets.

This is an impact that we saw after 9/11 that impacted the constituents, as I indicated previously, the constituents in the Fifth Congressional District. As the Speaker is aware my district is made up of four counties: Sussex, Warren, Passaic, and Bergen Counties. Many of the people are involved with the securities markets just over the Hudson River in New York City where the New York Stock Exchange is located. Not only did these individuals have relatives and loved ones who were lost in the terrorist attack on 9/11, but many of them were directly impacted by the financial consequences that followed thereafter. The SEC was able to, due to the emergency authority that they had at that time, had within their purview the powers to address the situation and get the marketplace up and running within a week's period of time.

The bill that we have before us now allows us to ensure that that will occur in the future.

Mr. Speaker, I would like to thank the gentleman from Ohio (Mr. OXLEY) and the gentleman from Louisiana (Mr. BAKER) for their support and swift action on this legislation. I thank the gentleman from Illinois (Mr. EMANUEL) for his support across the aisle.

Mr. Speaker, I strongly urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. KANJORSKI. Mr. Speaker, I yield myself such time as I may consume rise.

Mr. Speaker, I rise in support of the adoption of H.R. 657, a bill to provide the Securities and Exchange Commission with additional emergency powers.

As my colleagues know, the SEC played a crucial role in the recovery of our financial markets from the devastating effects of September 11, 2001 terrorist attacks. In addition to the important role the commission played in coordinating market participants throughout the crisis, the emergency orders issued by the SEC helped to provide needed liquidity and stability to the stock markets. The actions of the SEC also helped to ensure an orderly reopening of our capital markets, something that was in the interest of our economy and all investors.

Under our current law the SEC has the authority to issue emergency orders up to 10 business days in order to preserve orderly securities trading, clearance, and settlement. Following the terrorist attacks, the SEC used this authority for the first time to ease a variety of securities regulations including broker-dealer capital rules related to uncleared trades and restrictions on public companies' repurchase of their own securities. The SEC later used its general exemptive authority to

extend some of the emergency provisions beyond the initial 10 business days in order to address continued lags in clearance and other areas, as well as to temporarily suspend certain investment company requirements.

While the SEC very effectively used its existing emergency powers after the 2001 terrorist strikes, I believe this authority could be further strengthened. At congressional hearings shortly after the attacks, the SEC expressed similar views about the adequacy of its emergency power. The formal legislative request later submitted by the SEC asked that we provide the agency with additional emergency authority to respond to any further crises both by extending the potential length of the emergency orders and by extending the authority to clearly cover all of the Federal securities laws.

In 2001 the Committee on Financial Services worked with the commission and other interested parties to craft an appropriate framework for any future emergency actions that the SEC may need to take. The Emergency Securities Response Act subsequently passed the House by a voice vote but it did not become law during the 107th Congress. As a result, we must consider this matter anew in the 108th Congress.

The bill before us today makes a number of improvements to current law. For example, it expands the SEC's emergency authority to cover all of the Federal securities laws. The bill further permits the SEC to issue emergency orders for 30 business days, which I believe will give the SEC the flexibility needed to ensure they can respond in a timely and effective manner to any future emergency. The legislation also provides the commission with the authority in limited circumstances to extend emergency orders for an additional 90 days upon the finding that the emergency continues to exist and that an extension of the orders continues to be necessary and in the public interest.

As it became clear after the 2001 terrorist attacks, serious disruptions in communications, computer systems, transportation, and many other systems, as well as the physical damage to facilities, can have profound effects on the securities markets and market participants. This bill will give the SEC an expanded set of tools to address such emergencies throughout the securities markets, no matter what the underlying cause of the emergency may be.

Mr. Speaker, this bill also is a tribute to the leadership of Harvey Pitt when he was chairman of the SEC Commission. And although Mr. Pitt has now left the commission and probably has been criticized for many people for many things, I think the record should reflect that in regard to handling the crises during 2001 and working with the Congress thereafter to provide for orderly markets, no other chairman of the SEC expressed greater powers and controls with greater responsibility than Harvey Pitt.

Mr. Speaker, I urge the adoption of H.R. 657, the Emergency Securities Response Act.

Mr. Speaker, I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, I reserve the balance of my time.

Mr. KANJORSKI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. KANJORSKI) for his leadership on this important legislation and I thank him for yielding me time.

Mr. Speaker, I rise in strong support of the Emergency Securities Response Act, legislation intended to assist the recovery of the securities markets in the event of another major terrorist attack or emergency.

The terrorist attacks of September 11, 2001 wreaked a tremendous toll on my city of New York, the center of the world financial markets. As we all know, the loss of life, buildings, property, and communications equipment prevented the reopening of the financial markets until September 17. While the stock market went down the day it opened, the most important thing was that it was opened and functioning. This was a major boost in confidence for the economy, for New York City, and for the entire Nation.

For their roles in reopening the markets, the SEC and the other regulators deserve much credit. Without their work, the economic fallout of the attack would have been even more serious and harmed more people. The legislation we are voting on today is intended to give the SEC additional flexibility to deal with just such a situation should we face another terrorist attack, disaster or emergency.

The Emergency Securities Response Act extends the commission's emergency authority from 10 to 30 days and up to 90 days in certain circumstances. This legislation is necessary because we know that our Nation's financial infrastructure is a frontline target in the war against terrorism. The World Trade Center was a symbol of the United States' economy.

I truly want to compliment the leaders of other such symbols of our economy in New York. The New York Stock Exchange and the New York Mercantile Exchange have done an extremely good job not only during that emergency, but since, in their efforts to upgrade security to almost fortress-like levels. I would like to thank the gentleman from Ohio (Mr. OXLEY), the gentleman from Massachusetts (Mr. FRANK), the ranking member, the gentleman from Pennsylvania (Mr. KANJORSKI) and the gentleman from New Jersey (Mr. GARRETT) for their work on this issue. And I truly hope we never have to use the powers this legislation grants the SEC. I truly hope we will never have such an emergency again. But I strongly support this legislation.

Mr. KANJORSKI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GARRETT of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 657, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING PRESIDENT TO AGREE TO CERTAIN AMENDMENTS TO AGREEMENT ESTABLISHING A BORDER ENVIRONMENT COOPERATION COMMISSION AND A NORTH AMERICAN DEVELOPMENT BANK

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 254) to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, and for other purposes.

The Clerk read as follows:

H.R. 254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO AGREE TO CERTAIN AMENDMENTS TO THE BORDER ENVIRONMENT COOPERATION AGREEMENT.

(a) IN GENERAL.—Part 2 of subtitle D of title V of Public Law 103-182 (22 U.S.C. 290m–290m-3) is amended by adding at the end the following:

“SEC. 545. AUTHORITY TO AGREE TO CERTAIN AMENDMENTS TO THE BORDER ENVIRONMENT COOPERATION AGREEMENT.

“The President may agree to amendments to the Cooperation Agreement that—

“(1) enable the Bank to make grants and nonmarket rate loans out of its paid-in capital resources with the approval of its Board; and

“(2) amend the definition of ‘border region’ to include the area in the United States that is within 100 kilometers of the international boundary between the United States and Mexico, and the area in Mexico that is within 300 kilometers of the international boundary between the United States and Mexico.”.

(b) CLERICAL AMENDMENT.—Section 1(b) of such public law is amended in the table of contents by inserting after the item relating to section 544 the following:

“Sec. 545. Authority to agree to certain amendments to the Border Environment Cooperation Agreement.”.

SEC. 2. ANNUAL REPORT.

The Secretary of the Treasury shall submit annually to the Committee on Financial Services of the House of Representatives and

the Committee on Foreign Relations of the Senate a written report on the North American Development Bank, which addresses the following issues:

(1) The number and description of the projects that the North American Development Bank has approved. The description shall include the level of market-rate loans, non-market-rate loans, and grants used in an approved project, and a description of whether an approved project is located within 100 kilometers of the international boundary between the United States and Mexico or within 300 kilometers of the international boundary between the United States and Mexico.

(2) The number and description of the approved projects in which money has been dispersed.

(3) The number and description of the projects which have been certified by the Border Environment Cooperation Commission, but yet not financed by the North American Development Bank, and the reasons that the projects have not yet been financed.

(4) The total of the paid-in capital, callable capital, and retained earnings of the North American Development Bank, and the uses of such amounts.

(5) A description of any efforts and discussions between the United States and Mexican governments to expand the type of projects which the North American Development Bank finances beyond environmental projects.

(6) A description of any efforts and discussions between the United States and Mexican governments to improve the effectiveness of the North American Development Bank.

(7) The number and description of projects authorized under the Water Conservation Investment Fund of the North American Development Bank.

SEC. 3. SENSE OF THE CONGRESS RELATING TO UNITED STATES SUPPORT FOR NADBANK PROJECTS WHICH FINANCE WATER CONSERVATION FOR TEXAS IRRIGATORS AND AGRICULTURAL PRODUCERS IN THE LOWER RIO GRANDE RIVER VALLEY.

(a) FINDINGS.—The Congress finds that—

(1) Texas irrigators and agricultural producers are suffering enormous hardships in the lower Rio Grande River valley because of Mexico's failure to abide by the 1944 Water Treaty entered into by the United States and Mexico;

(2) over the last 10 years, Mexico has accumulated a 1,500,000-acre fee water debt to the United States which has resulted in a very minimal and inadequate irrigation water supply in Texas;

(3) recent studies by Texas A&M University show that water savings of 30 percent or more can be achieved by improvements in irrigation system infrastructure such as canal lining and metering;

(4) on August 20, 2002, the Board of the North American Development Bank agreed to the creation in the Bank of a Water Conservation Investment Fund, as required by Minute 308 to the 1944 Water Treaty, which was an agreement signed by the United States and Mexico on June 28, 2002; and

(5) the Water Conservation Investment Fund of the North American Development Bank stated that up to \$80,000,000 would be available for grant financing of water conservation projects, which grant funds would be divided equally between the United States and Mexico.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) water conservation projects are eligible for funding from the North American Development Bank under the Agreement Between the Government of the United States of America and the Government of the United

Mexican States Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank; and

(2) the Board of the North American Development Bank should support qualified water conservation projects which can assist Texas irrigators and agricultural producers in the lower Rio Grande River Valley.

SEC. 4. SENSE OF THE CONGRESS RELATING TO UNITED STATES SUPPORT FOR NADBANK PROJECTS WHICH FINANCE WATER CONSERVATION IN THE SOUTHERN CALIFORNIA AREA.

It is the sense of the Congress that the Board of the North American Development Bank should support—

(1) the development of qualified water conservation projects in southern California and other eligible areas in the 4 United States border States, including the conjunctive use and storage of surface and ground water, delivery system conservation, the re-regulation of reservoirs, improved irrigation practices, wastewater reclamation, regional water management modeling, operational and optimization studies to improve water conservation, and cross-border water exchanges consistent with treaties; and

(2) new water supply research and projects along the Mexico border in southern California and other eligible areas in the 4 United States border States to desalinate ocean seawater and brackish surface and groundwater, and dispose of or manage the brines resulting from desalination.

SEC. 5. SENSE OF THE CONGRESS RELATING TO UNITED STATES SUPPORT FOR NADBANK PROJECTS FOR WHICH FINANCE WATER CONSERVATION FOR IRRIGATORS AND AGRICULTURAL PRODUCERS IN THE SOUTHWEST UNITED STATES.

(a) FINDINGS.—The Congress finds as follows:

(1) Irrigators and agricultural producers are suffering enormous hardships in the southwest United States. The border States of California, Arizona, New Mexico, and Texas are suffering from one of the worst droughts in history. In Arizona, this is the second driest period in recorded history and the worst since 1904.

(2) In spite of decades of water conservation in the southwest United States, irrigated agriculture uses more than 60 percent of surface and ground water.

(3) The most inadequate water supplies in the United States are in the Southwest, including the lower Colorado River basin and the Great Plains River basins south of the Platte River. In these areas, 70 percent of the water taken from the stream is not returned.

(4) The amount of water being pumped out of groundwater sources in many areas is greater than the amount being replenished, thus depleting the groundwater supply.

(5) On August 20, 2002, the Board of the North American Development Bank agreed to the creation in the bank of a Water Conservation Investment Fund.

(6) The Water Conservation Investment Fund of the North American Development Bank stated that up to \$80,000,000 would be available for grant financing of water conservation projects, which grant funds would be divided equally between the United States and Mexico.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) water conservation projects are eligible for funding from the North American Development Bank under the Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank;

(2) the Board of the North American Development Bank should support qualified water conservation projects that can assist irrigators and agricultural producers; and

(3) the Board of the North American Development Bank should take into consideration the needs of all of the border states before approving funding for water projects, and strive to fund water conservation projects in each of the border states.

SEC. 6. ADDITIONAL SENSES OF THE CONGRESS.

(a) It is the sense of the Congress that the Board of the North American Development Bank should support the financing of projects, on both sides of the international boundary between the United States and Mexico, which address coastal issues and the problem of pollution in both countries having an environmental impact along the Pacific Ocean and Gulf of Mexico shores of the United States and Mexico.

(b) It is the sense of the Congress that the Board of the North American Development Bank should support the financing of projects, on both sides of the international boundary between the United States and Mexico, which address air pollution.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Texas (Mr. GONZALEZ) each will control 20 minutes.

□ 1345

Ms. KAPTUR. Mr. Speaker, I would like to claim time in opposition, please.

The SPEAKER pro tempore (Mr. TERRY). Is the gentleman from Texas opposed to the motion?

Mr. GONZALEZ. Mr. Speaker, I am not opposed to H.R. 254. So it is my understanding that my colleague from Ohio would then be controlling the entire 20 minutes in opposition.

The SPEAKER pro tempore. The gentlewoman from Ohio does qualify for the time in opposition.

The gentlewoman from Illinois (Mrs. BIGGERT) is recognized.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 254, a bill that makes critical changes to the operation of the North American Development Bank. I would like to thank the gentleman from Nebraska (Mr. BEREUTER) for his hard work on this piece of legislation and for building broad bipartisan support for the bill.

H.R. 254 was approved by voice vote in the Committee on Financial Services and is identical to legislation approved by the body in the 107th Congress. This bill is supported by the administration and is part of the President's priorities to improve conditions along our border with Mexico.

The NADBank was created through the North American Free Trade Agreement, or NAFTA Accord, of 1994 and was funded equally by the United States and Mexico. The purpose of the NADBank is to respond to concerns that the increase in commerce along the border region would result in a rise in pollution.

This is a commendable goal and the NADBank is well funded to reach this goal. It has over \$450 million in paid-in capital and a total lending capacity of \$2.7 billion; yet over the past several years, the NADBank has only approved the disbursement of \$59 million in funds.

The changes we make today in the NADBank will allow this institution to fulfill its mission of financing environmental infrastructure projects along the U.S.-Mexico border without resulting in any additional cost to the American taxpayer.

H.R. 254 will allow the NADBank to make below-market-rate loans for qualified projects. This is an important change and will permit this institution to truly assist this region by offering its products to the largest number of qualified environmental infrastructure projects.

In addition, H.R. 254 extends the area of operation to 300 kilometers from the border into Mexico. This expansion of the operating area will allow the NADBank to approve more worthy projects.

This bill also contains several important senses of the Congress which were crafted with the input of Members from several border States affected by the NADBank. This section calls for the NADBank to play close attention to water conservation, coastal pollution and air pollution projects. Finally, H.R. 254 will require the Treasury Department to report to Congress annually on the operations of the bank.

This bill will go a long way to help build upon the close relationship between the U.S. and Mexico and will improve the environmental conditions along the border.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, February 26, 2003.

STATEMENT OF ADMINISTRATION POLICY ON
H.R. 254—NORTH AMERICAN DEVELOPMENT
BANK AND BORDER ENVIRONMENT COOPERATION
COMMISSION AUTHORIZATION

The Administration strongly supports passage of H.R. 254, which authorizes key reforms of the North American Development Bank (NADB) and the Border Environment Cooperation Commission (BECC). Since taking office, President Bush has worked closely with Mexico's President Fox to make these institutions more effective in addressing the critical environmental needs of the communities of the U.S.-Mexico border region and, thus, improve the quality of life for the region's 12 million residents. To achieve these goals, the two Presidents agreed on a package of NADB/BECC reforms in March 2002.

H.R. 254 will enable the United States to move forward to implement two of the most important NADB/BECC reforms. The bill would allow the NADB to make its financing

more affordable by allowing it to make grants and non-market rate loans out of its paid-in capital. H.R. 254 also would authorize the geographic expansion of NADB/BECC activity in Mexico, which would allow the institutions to address important environmental issues that may affect communities on both sides of the border, but whose origin may lie outside their currently defined region of operation.

Passage of H.R. 254 will demonstrate the United States' strong bilateral cooperation with Mexico and commitment to environmental protection, and would strengthen the ability of the NADB and the BECC to perform their important environmental mission. The Administration urges its passage.

Mr. Speaker, I reserve the balance of my time.

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this legislation with mixed feelings, because the need for environmental remediation along the border is extraordinary; and I wish to express my deepest respect for my colleagues, the gentlewoman from Illinois (Mrs. BIGGERT), the gentleman from Nebraska (Mr. BEREUTER), the gentleman from Texas (Mr. GONZALEZ), the gentleman from Texas (Mr. HINOJOSA), and those who have worked to bring this matter to the floor.

I rise in opposition because I really do not believe this should come to us under a suspension. I think that the issues concerning us all out of NAFTA, and NADBank in particular, deserve the full engagement of this Congress. And I think Members should pay attention to this legislation that was brought up very quickly and out of a single committee, a committee on which I do not serve, and this is my only way of informing the membership of issues at stake relating to NADBank and adjustment to NAFTA.

As an appropriator in this Congress, I have to express the view that NADBank in and of itself deserves a very, very close look by Congress because if we look back to NADBank's establishment, it had a very curious beginning. It existed only as a side agreement that was tacked on to the original NAFTA trade agreement that was passed by a narrow margin here in Congress in 1993.

NADBank was sort of an afterthought. I can remember the gentleman from California who helped negotiate it, but it never had a separate debate in this Congress. Its functions, its operations have never been separately debated here, and now we are asking for amendments to something we have never had a full debate on in this Congress.

NADBank's shortcomings are vast, and it operates in a most unusual and atypical fashion, outside the normal jurisdictions of our Committee on Appropriations. The gentlewoman from Illinois (Mrs. BIGGERT) mentioned it has a half a billion dollars of capitalization. Some of it came from the general revenues of the United States, the people of our country, and the remainder from the people of Mexico; but even

though it has a half a billion dollars of capitalization, it comes in the form of several pieces that wash through various appropriations subcommittees. It has no real home. Some might say its jurisdiction is segmented. Others might say it truly is haphazard and hard to get your arms around. The American people deserve better.

Indeed, NADBank operationally as a bank is a moving target, looking for a home in the Federal Government. It technically resides in the Department of Treasury. Yet its loan and grant authorities float mysteriously between the U.S. Department of Agriculture, the Small Business Administration, and a growing role for the Environmental Protection Agency, EPA, which all manage to somehow, in ways unknown to Congress, subsidize the activities of NADBank.

What we do not know about NADBank far surpasses what, in fact, any individual Member of Congress might know. I know that Members who live along the border have a horrible environmental problem that they are dealing with. I have seen the cesspools being created by industrial production and agricultural production with no funds for environmental remediation.

We tried to build environmental provisions into the original NAFTA. They were rejected. They were rejected and now, with the billions of dollars of commerce occurring across the border, who is being asked to pay for the environmental remediation? Not the companies creating the damage, but the taxpayers of the United States of America.

This is a chart showing the trade deficit with Mexico. Before NAFTA's signing, we had a positive balance with Mexico, both ways. Since NAFTA's passage, every single year we have moved as a Nation into deeper and deeper trade deficit with the nation of Mexico, as well as Canada. We have lost over three million jobs in this country due to NAFTA; and the people of Mexico have had their wages cut in half, and now 250 million jobs in northern Mexico and those maquiladoras are moving to China where the wages are even cheaper.

We ought to revisit NAFTA. It is 10 years since its passage and millions and millions of people are being harmed. Indeed, the most harmed, in my opinion, are the peasants coming off the ejido system in Mexico who have no voice and no representation, and they deserve it in this highest Chamber of our government.

NADBank should realistically deal with these adjustments and it does not. We should not just have a suspension bill that deals with two or three small provisions. We should deal with the fundamentals of this agreement and the giant holes that are in it.

In the United States, in a State like my own—and here is a current chart of this showing our unemployment—the dark green covers counties in our State with the highest rates of unemployment. One of the five top States in the

Union to lose jobs because of NAFTA, most recently Dixon Ticonderoga Pencil and Crayon Company in Sandusky, Ohio, and also Phillips Electronics, in Ottawa, Ohio, over 2000 more jobs have relocated to Mexico.

We know a lot about NAFTA and its impact, and yet we look at the NADBank regulations and which counties have they helped with all the job loss in Ohio? Well, they picked one here and they picked one here and they picked one here to try to give a minimal amount of assistance. But there is no regularity, frankly no real help. NAFTA's NADBank has no regularity with which it deals with the huge job loss that these trade deficits represent.

The bill that is before us expands the area of eligibility for NADBank, as my colleagues rightly wish to do, by about 200 additional kilometers down into Mexico. But it does absolutely nothing to provide support to the thousands of communities across our Nation that have also lost jobs to Mexico.

My problem is NADBank's reach is not great enough. In fact, the part of the bank with the least staff and support, called CAIP, C-A-I-P, the Community Adjustment and Investment Program, has just experienced the resignation of its director and the Bush Administration has proposed no funding for future grants.

As an appropriator, I want to help the NADBank for all of America. NADBank will not let me help it, and this debate will not let me find an appropriate way in which to pay for the adjustment that is so essential not just in Ohio but in California, in Tennessee, Oregon, south Florida and so many other places that have lost jobs because of NAFTA.

So the problem with NADBank is not the limited area of Mexico where more of our tax dollars will be used to remediate environmental disasters, because NAFTA is silent on the environment, but the fact that NADBank's reach is too limited. It ought to reach to places like Detroit and Sandusky, Ohio, and east Tennessee's and South Carolina's textile belts, in south Florida, in Galesburg, Illinois, where Maytag just announced it is shutting down and moving to Mexico, and south Chicago's loss of Brach's candy and Buffalo, New York, with the loss of Trico corporation.

Indeed, NADBank in the last 2 fiscal years has issued only six direct loans: three in the border area, two in North Carolina, and one in Virginia. Imagine, six loans and thousands of lost companies in this country and millions of lost jobs after 10 years. NADBank has far too little to show for its existence. With half a billion dollars, what has it been doing?

So I would say to my colleagues who have absolutely wholesome and extraordinarily important concerns here today in trying to extend NAFTA's environmental provisions through NADBank to cover a larger proportion of Mexico's to our border countries

problems, look at the fundamentals. I think the administration wants to piecemeal with this suspension bill and find ways to try to fix an agreement that fundamentally needs a broader look.

I would urge my colleagues to vote "no" on this suspension bill today in order that we can have that broader debate. We need so many adjustments in NADBank and NAFTA.

First, we need an agricultural adjustment provision. Part of the illegal immigration coming into our country is because there are no agricultural provisions under NAFTA, and NADBank is absolutely unrealistic in the manner in which it deals with the exodus in the Mexican countryside. NAFTA is a huge continental disaster for them. Indeed, people's lives are being lost every day because we choose to ignore their pain. Let us be voices for the most powerless people on this continent.

We need a continental labor registration system for agricultural labor. It is wrong what happened to those 14 people in that truck in Omaha dying because they were brought up here as bonded workers. We need a continental solution to that travesty.

In terms of the environment, why should the taxpayers of our country be asked to pay for the damage these corporations are doing? The corporations involved in this border trade, they ought to pay, because they are the ones creating the mess. We have done the very same kind of program here in our own country to let those responsible pay for the environmental damage that they are doing.

In terms of NADBank, to help our communities readjust whether they are Illinois, whether they are Ohio, whether they are California, let us look at a NADBank that can function to meet the reality of the job loss across this Nation and harm across our continent.

□ 1400

Today we are being asked with this suspension to just take the tail on the dog. I am asking the Congress to embrace the dog. This is my only opportunity to do it. On the 10th anniversary of NAFTA, can we not finally be adults and recognize the continental situation that we, as elected officials at the highest levels of our government, have a responsibility to remediate? It is time. It is time.

I realize that the bill that is before us technically is much more narrowly cast, but it is our only vehicle. Give a few more weeks, a few more opportunities for Members to weigh in. I think we could create a measure that truly, on NAFTA's 10th anniversary, would help our continent deal with the pain and suffering of workers in our Nation and continent.

And by the way, the Department of Labor has made the decision not to count the workers in our country who are losing their jobs because of NAFTA today. That has now been stopped. What kind of a system is this? What

kind of government is this? We have a responsibility to displaced workers to certify their communities for eligibility for programs like NADBank we must know where those jobs are being lost. So many pieces of this continental puzzle need to be put together in a tidy package. We are not presented with that package today.

So I would just for the purposes of colloquy end my formal remarks now, in the event some of my colleagues, such as the gentleman from Texas (Mr. GONZALEZ) or the gentleman from Texas (Mr. HINOJOSA) or the gentleman from California (Mr. FILNER) wish to comment at this point. This is just an awfully important question for our continent. We are the people who can make life better. It is our time. It is our watch. We ought to make it better for people who do not have voice in this Chamber.

Mr. Speaker, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield 10 minutes to the gentleman from Texas (Mr. GONZALEZ), and I ask unanimous consent that he be permitted to control that time.

The SPEAKER pro tempore (Mr. TERRY). Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas (Mr. GONZALEZ) is recognized.

Mr. GONZALEZ. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague from Illinois for this opportunity.

Of course, I rise in strong support for passage of H.R. 254. I have great admiration for my colleague from Ohio who stands in opposition to 254 today, but we do have a fundamental difference of opinion. This piece of legislation was not intended in any way to revisit, reopen, recast, or rescind the North American Free Trade Agreement, the treaty itself; rather, it is to improve an institution that was created to assist in any problems that would be encountered as a result of the treaty itself. And that is where we stand today.

This is a bill to authorize the President to agree to certain amendments to the binational agreement establishing the North American Development Bank. H.R. 254 was passed by the House Committee on Financial Services on February 13 by voice vote. Last October, H.R. 5400, a bill exactly like 254, passed the House by unanimous consent. So I will remind my colleagues, Members of this House, that we are revisiting a piece of legislation that was passed by unanimous consent in the 107th Congress. Unfortunately, the Senate failed to take up H.R. 5400, necessitating its resubmission in this Congress.

This bill is cosponsored by a bipartisan group of 11 Members of Congress, almost all representing districts along the United States/Mexican border. I do wish to express my sincere thanks to the gentleman from Ohio (Mr. OXLEY),

chairman of the Committee on Financial Services; chairman of the Subcommittee on International Monetary Policy and Trade, the gentleman from Nebraska (Mr. BEREUTER); the ranking member, the gentleman from Vermont (Mr. SANDERS); and the gentleman from Massachusetts (Mr. FRANK) on the Subcommittee on Housing and Community Opportunity; as well as to the former ranking member of the full committee, Mr. LaFalce, who retired last session, for their cooperation and hard work in making today a reality and, hopefully, finally, in passing this bill once more and allowing the Senate the opportunity to pass it.

Mr. Speaker, NADBank was created pursuant to NAFTA. It is an investment in water, wastewater, and other public infrastructure along the United States/Mexican border. The bank is headquartered in my district, the 20th Congressional District of Texas, and provides conventional loan financing, below market-rate financing, and grants for communities located near the United States/Mexican border to help fund their water, wastewater, and other infrastructure needs. Additionally, NADBank manages an institutional development program that provides training to local officials on both sides of the border on how to effectively manage public utilities.

Since I arrived in Congress, I have heard so many Members use the phrase "not letting perfect be the enemy of the good." I never thought I would resort to that, but today I will because that is what is happening here. NADBank is the only development bank specifically dedicated to the infrastructure needs of the United States/Mexican border. It meets a specific public financing need that has long been neglected by both Washington and Mexico City. Whether or not one is a supporter of the NAFTA treaty it is hard to argue with the purpose of NADBank, which is to provide critical financing and training for infrastructure improvements in disadvantaged United States and Mexican border communities.

Mr. Speaker, in a minute I will be yielding to my colleague, the gentleman from Texas (Mr. HINOJOSA), whose district borders Mexico. I will agree with my colleague from Ohio that NADBank has not fulfilled its true mission due to certain restrictions that Congress has neglected, or by not having the authority to really have any say with Treasury. Treasury has been in charge. This is the answer. This is the fix. This is the fine-tuning we have been seeking for so long. Never has this been meant to be an instrument to reopen the debate on NAFTA. This is an essential piece of legislation.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I thank the gentleman from Texas (Mr. GONZALEZ) for yielding me this time.

Mr. Speaker, I like and respect my friend and colleague from Ohio. I heard

the gentlewoman from Ohio say that NADBank has too little to show, and my response to her is that those of us who live on the southwest border want to correct what is wrong with the NADBank in the way that it has operated and done so poorly in these last few years.

Mr. Speaker, I rise today in strong support of H.R. 254, the North American Development Bank reauthorization bill. I want to thank the gentleman from Nebraska (Mr. BEREUTER) for all his hard work in shepherding this bill through the legislative process. I also want to thank the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) for their assistance in bringing this bill to the floor for consideration.

As the Congressman from the 15th District of Texas, which includes the U.S./Mexico border region, my constituents are directly affected by the work of the North American Development Bank and are vitally interested in reforms badly needed that will improve the NADBank.

I was born and raised in south Texas between Brownsville and Laredo. This region is the front door to Mexico. I have seen the skyrocketing 48 percent population increase from just 1990 to 2000. I have witnessed the huge export business between Texas and Mexico increase 202 percent from 1993 to 2000, and that increase has reached \$68 million of exports in the year 2000.

NADBank was originally passed in 1994 and enacted in 1995. It was created to gain congressional passage of the North American Free Trade Agreement. The bank was to be a working partner in helping border communities deal with water treatment facilities and environmental problems that would result from the increased trade that was expected. The bank's purpose was to help the border communities cope with the problems created by NAFTA.

Unfortunately, despite large amounts of available capital, the bank has funded only a small number of infrastructure projects along the U.S./Mexico border because it was limited to offering only market-rate loans. The need along this southwest border is too great for the bank to have money sitting idle. H.R. 254 fixes the problem by allowing NADBank to offer low-interest loans and grants to border communities like the ones I represent to fund critical infrastructure projects so that we can have the quantity of water and quality of water that we need for the sustainable growth of our area.

This authorization bill is not perfect. I assure my colleagues that if it improves the NADBank with the corrections that we make here, everyone will be very happy.

In closing, I want to say that the bank has not worked well up until now, but I know that with these reforms it can live up to the promise. I urge my colleagues to support H.R. 254.

Mrs. BIGGERT. Mr. Speaker, I yield 4 minutes to the gentleman from Ne-

braska (Mr. BEREUTER), the sponsor of this legislation.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, the gentleman from Texas (Mr. GONZALEZ) has explained very well why this legislation is before us. In fact, we passed it last October in the previous Congress in the same form. He mentioned the cosponsorship of practically everybody whose district is along the border, and I appreciate very much the support of my colleagues on the committee.

Actually, the comments of the gentlewoman from Ohio about NAFTA are not a surprise to us, but practically nothing related to NAFTA is within the jurisdiction of the Committee on Banking and Financial Services, now the Committee on Financial Services. The only thing really that is, is the NADBank, and it was created to take into account some of the concerns with the passage of NAFTA.

During that debate, some Members were concerned about perceived lax enforcement of environmental laws by Mexico that could create a competitive advantage and give U.S. businesses incentive to relocate to Mexico. In fact, the support of some Members of Congress for NAFTA was partially contingent upon identification of a structure to finance border projects.

Now, in order to address the inadequacies of the NADBank, which the other gentleman from Texas has alluded to and given some details on, Presidents Bush and Fox formed a binational working group that held a series of discussions with States, communities, and other stakeholders in the border region with the purpose of generating plans to reform and strengthen the performance of the NADBank and the BECC. As a result of that working group, Presidents Bush and Fox came forth with a joint agreement announced in Monterrey, Mexico, in March of 2002. The recommendations and requirements of agreement are in this legislation.

With respect to the first legislative change, the administrations's rationale about the bank's current financial framework is having a limited impact in regions with high poverty rates, so adjustments were made in that respect. The change in jurisdiction was at the request of the Mexican President, but agreed to as appropriate by President Bush. So what we are doing here is to try to take the reforms that everyone in the region seems to agree are necessary for the NADBank to adequately address the infrastructure problems, particularly environmental infrastructure problems that are created by increased industrialization and population growth in the region.

So, my colleagues, I think, can feel very comfortable in supporting this legislation. It makes the changes the two Presidents requested. It does nothing to disadvantage American firms. In fact, it addresses some of the concerns

that the opponents of NAFTA had in the first place.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. BEREUTER. I yield to the gentlewoman from Ohio briefly.

Ms. KAPTUR. Mr. Speaker, I really appreciate very much appreciate the gentleman yielding just for a question.

It is my understanding that the Community Adjustment and Investment Fund, CAF, which is within NADBank, is basically zeroed out in this proposal, which means that it will have no money. And this is the portion of the bank that deals with loans and grants to the nonborder regions.

Could someone please clarify for me whether my understanding is correct? And I thank the gentleman for yielding.

Mr. BEREUTER. Reclaiming my time, Mr. Speaker, I believe the gentlewoman's understanding is incorrect as with respect to this legislation. This legislation makes no reductions in that area. If there are reductions, it would be by executive budget, and I am not familiar if that is the case or not.

Mr. Speaker, I would just say that we have passed this legislation before. It is appropriate. It puts in place the agreements of the two Presidents. It has the support of all the border region persons in this room, with the exception of two, and I do not know how they stand, but I have heard no opposition from them to this point. So I urge support and approval of the legislation.

□ 1415

Ms. KAPTUR. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Mr. FILNER).

Mr. FILNER. I thank the gentleman for yielding me this time.

Mr. Speaker, I do represent the entire California-Mexico border, so I am a border Congressman; and I must say, we have some difficulties with the proposed legislation. The gentlewoman from Ohio, and I am sorry that it had to take someone from the hinterlands to explain to us that this whole issue of NAFTA and NADBank need to be discussed by this body in a far more important way than a bill on suspension that gives us 10 minutes to debate. The gentlewoman is entirely correct. And just because it is only the NADBank that falls within the jurisdiction of the Banking Committee is no reason to limit this House from a fuller discussion. The Banking Committee can in fact go in with other committees and have that discussion. The gentlewoman was absolutely right: jobs have been lost, millions, because of NAFTA.

I live in San Diego, California, a community impacted by NAFTA. Did the community adjustment investment fund or NADBank do anything for our community? No. Is it going to do anything with the proposed reforms? I do not know. But I am very wary.

When NAFTA was passed, there was no infrastructure put in place to realize some of its benefits. For example,

in San Diego, California, 3,000 trucks a day now cross the border from Mexico to the United States. There is no highway that takes those 3,000 trucks from the border crossing to the interstate highway system. I have been trying to get it built for the last 10 years. We have a city street that takes those trucks; it is one of the most dangerous roads in America. Has NADBank helped that? No. The environment which NADBank was limited to before these reforms, the maquiladoras which NAFTA brought to the border, hundreds of them, employing thousands of Mexican workers, do not have to abide by any of the environmental rules that we establish. So they end up dumping their toxic materials in the gullies and ravines in Mexico. You know where that ends up? I got 50 million gallons, now millions of gallons in the last few years of raw sewage floating through my district in the Tijuana River to the Pacific Ocean. In Imperial County to the east of San Diego, there are millions of gallons of raw sewage flowing through the New River, then the Alamo River, to the Salton Sea. Did NADBank take care of anything there? Nothing.

Those same maquiladoras brought Mexican workers to the border. What did it pay them? No increase in wages. In fact, wages fell. And do you know what happened when the folks who came to the Maquilas who thought they were going to get high wages and did not? What happened? Illegal immigration to America. Did NADBank do anything to help us with that? Nothing.

Two power plants have just opened up in Mexicali, Mexico, to service the needs of California, power needs. Did they have to follow the environmental rules of our community? No. Can the border patrol stop air pollution? No. Did NADBank help us solve any of that? No.

I agree that the folks who have worked on this, this is a step forward. I do not have any doubts about that. The lower-than-market interest rates which prevented really any loans from being made is absolutely necessary. The expansion of the definition of what projects would be accepted is obviously a very important step forward. But there is a backwards step that you ought to have maybe said something about in your legislation.

As I understand it, the Border Environmental Cooperation Commission, the board of that and the board of NADBank are being merged. BECC was one of the few places where you had any community input, and now we are not going to have any. San Diego and Tijuana had virtually no input. Mexicali and Calexico in Imperial County had no input. El Paso, no input. Brownsville, no input. Where is the community input for the reform bank that you are putting in? We at the border communities, and I will tell you even more the inland communities, if I may say so, need to have input into what is going on with the NADBank. It

is not serving our communities. I do not see any step forward that will change that.

Mr. Speaker, the Secretary of Treasury when I asked him a few years ago, and this was in a previous administration, how was NADBank doing, he had no idea. It has been put in a corner somewhere because of an attempt to get a few votes for NAFTA. It was set up to do nothing, and it fulfilled those expectations. I do not see any reforms really that will make NADBank work for America and American workers. I thank the gentlewoman for allowing us to have this debate.

Mr. GONZALEZ. Mr. Speaker, I yield myself such time as I may consume.

Many of the shortcomings that both my dear friends from Ohio and California have pointed out are actually remedied by this bill. The answer is before us. Is it a complete answer? We never have a complete answer in any one piece of legislation; but this is definitely a start, and it is a meaningful one. My colleague from California poses the question, Where is the input? The input is in H.R. 254 because we as Members of the House of Representatives will finally have a voice. It will not simply be Treasury in the executive branch determining the parameters and the programs and the activities of NADBank. We will finally have something to say about it, so that my colleague from Ohio and my colleague from California will have a voice. That is what this piece of legislation is all about.

If someone sees this as an opportunity to relegislate NAFTA, I cannot do anything about that; but that is not what it does. It does not attempt to do that in any shape or form. But this is the answer that those that speak today in opposition are seeking. We all are in agreement. If this bill does not pass, it is only the House of Representatives that remains irrelevant to NAFTA and to the NADBank. That will be the end result.

I ask again, please consider this piece of legislation carefully, understand its merits, and you will vote for it. I ask each and every one of my colleagues to join us, all of us along the border, all of us from the border States that are so heavily impacted, to do something about the consequences of NAFTA but in a positive and constructive manner.

Mr. BEREUTER. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Nebraska.

Mr. BEREUTER. I thank the gentleman for yielding. I just wanted to assure the gentlewoman from Ohio, there is nothing that deauthorizes a program in our legislation and nothing that specifically authorizes additional funds. And to the gentleman from California, this legislation does not merge the two entities that concerns him.

Mr. GONZALEZ. Mr. Speaker, I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, may I inquire how much time remains for the majority and the party in opposition.

The SPEAKER pro tempore (Mr. FLAKE). The gentlewoman from Illinois (Mrs. BIGGERT) has 3½ minutes remaining and the gentlewoman from Ohio (Ms. KAPTUR) has 3 minutes remaining.

Mrs. BIGGERT. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. I thank the gentlewoman for yielding me this time.

Mr. Speaker, this is a well-crafted bill that helps the North American Development Bank to accomplish its stated goal of improving the wastewater treatment, solid waste management and potable water supply in America's Mexico border region more efficiently. In California over the last 2 decades, the population has grown by more than 30 percent while the water supply has increased by only 2 percent. But as California's thirst for water increases, the number of available sources for drinking water is shrinking. This is why I support the North American Development Bank's mission of providing clean and safe water to all of America's southern border areas, particularly to the already overtaxed southern California area.

I was able to contribute to this legislation by adding a provision that directs the North American Development Bank's support for qualified water conservation projects in southern California which will help to reduce the overall burden on a State whose water resources are already stretched dangerously thin. California currently leads the country in desalination, conjunctive use, recycling and water conservation efforts so the money invested in our part of the country gets an excellent return on investment.

I urge support for this broad, non-partisan initiative to recognize that qualified water conservation and supply projects are important to southern California and deserve the support of the North American Development Bank.

Ms. KAPTUR. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from California (Mr. FILNER), who is such an expert on this.

Mr. FILNER. I thank the gentlewoman for yielding time.

Mr. Speaker, just quickly, the fact that this legislation does not say anything about the merged boards of BECC and NADBank, you could have said something about it. Just because you did not, do not criticize the fact that this is a backwards step. If you want to move forward, then change that, too. And we need to have the support of the Chair and those who are supporting this bill for some money for the community adjustment investment fund. It has been zeroed out by the administration.

So, yes, there are some reforms here. The question is how much money are we going to give it and how much community input are we going to allow. A report to Congress on a yearly basis does not allow the community input that this board needs.

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleagues, particularly those along the border, for engaging in this debate today. I would just like to place on the RECORD information from the Community Adjustment and Investment Program headed in San Antonio, Texas, from NADBank that says Congress has zeroed out future funding for the Community Adjustment and Investment Program. The Bush budget contains no money, no appropriated dollars for the program to help in the nonborder areas of the United States.

I would beg my colleagues who are supporting this, please look beyond just the border and even for the border, recognize who is making the pollution and who should pay for it. But please do not disenfranchise communities across our country that are losing jobs.

I will end with this story. One of the companies that has just left my district in Sandusky, Ohio, Dixon Ticonderoga, one of the workers just committed suicide. The head of that company called me and said, Congresswoman, we're going to leave you a building, an empty hulk. I said, well, sir, all I've got is NADBank. So I called NADBank about 2 weeks ago and I said, they're leaving us an empty hulk. What can we do with a loan or grant program to create something, some type of economic activity inside that building? And the answer was, We have no funds. So we are talking here about only one square on a very large board.

I urge my colleagues to please withdraw this bill today. Let us work together and put language in there that helps all of the United States and all of North America, all of North America that has been so badly harmed by NAFTA, including agricultural adjustment provisions, so that no Mexican worker will die in this country because there is not a labor registration system across this continent that gives them the dignity of a work card where they cannot be bonded and sold by those coyotes all across this continent. There are huge problems that NADBank could be the vehicle to solve. Please vote "no," or withdraw this bill today in order that we bring something back to this Congress that can help us perfect an agreement that is badly flawed.

Mrs. BIGGERT. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. OSE), another member of the Committee on Financial Services.

Mr. OSE. I thank the gentlewoman for yielding me this time, and I rise in support of the bill. In California, as in many of the other border States, we are working with our friends to the south to try and address many things. One of the things in this bill that I was so pleased to be part of with the gentleman from Texas (Mr. GONZALEZ), the gentleman from Texas (Mr. HINOJOSA), and the gentleman from Nebraska (Mr. BEREUTER) was trying to give some direction to NADBank about expanding the things that they could invest in.

Specifically, we have a problem in California where discharge of wastewater and the like from some of the facilities south of the border flows into the Pacific Ocean, then by virtue of currents and tides goes north on the beach and eventually gets to the point where it spoils our beaches. There are many in this body who would argue that we need to delay and defer and not take action on this. However, frankly, one of our greatest assets in California is our beaches. It is my intention, and I am grateful for the support from other parts of the country, to try and do something to frankly address the issue of pollution hitting the beach in California. The language that we proposed and that my colleagues supported and that is now in the bill directs the NADBank to take this issue seriously and to address it when considering future projects.

Secondly, my friend, the gentleman from California (Mr. ROYCE), talked about water issues being a key element for California's success. The provision that he has placed in the bill directs NADBank to incorporate water development issues in their deliberations. I am pleased by that because, as he said, we have had population growth there of around 30 percent, but water supply growth of only about 2. I ask support of the bill.

□ 1430

Mrs. BIGGERT. Mr. Speaker, I urge my colleagues to support these changes to the NADBank and join me in voting to approve H.R. 254.

Mr. ORTIZ. Mr. Speaker, I rise to offer some context for our debate today surrounding the NADBank as it relates to my district in South Texas.

I support NADBank and believe it is an important part of border development, particularly the small rural communities like San Benito and La Feria in South Texas. Hopefully, NADBank will continue to work with these municipalities to maximize their infrastructure.

But NADBank's recent decision to offer grants and resources in terms that are twice as favorable to Mexico, over injured South Texas farmers, is very troubling to me. Very briefly, it was Mexico's non-compliance—for over a decade—with a 1944 treaty that apportioned the waters of the Rio Grande that bankrupted hundreds of South Texas farmers and precipitated the need for NADBank to offer assistance—however late—to those injured by Mexico's action.

Here's what has troubled me about this; there are 2 primary reasons:

First, NADBank is offering up to 50 percent of the cost of irrigation projects to South Texas farmers in grants and the balance in low-interest loans, while making the same assistance available to Mexican agricultural interests at 100 percent grants. Since the actions of Mexico were the instigation of the injury to South Texas farmers, it is galling that NADBank is giving Mexican farmers 100 percent of the cost of their projects in grant funding, while South Texans are getting half that.

Secondly, the entire reason NADBank has a package offering relief to farmers for irrigation needs is the enormous, permanent injury to

South Texas farmers directly due to Mexico's violation of the 1944 treaty. I have been perplexed as to the reason that all four border states have access to the relief package. If the injury was to South Texas farmers, then that is who should be the target of the relief.

Of note, this bill does recognize several important things for the first time: Mexico is in default of the 1944 Water Treaty; Mexico has accumulated 1.5 million acre feet of water debt to the U.S.; and the NADBank Board should support projects in the lower Rio Grande Valley.

While NADBank is an important part of border development, the decision to give South Texas farmers—injured by Mexico's deliberate action—half what they are offering to Mexican farmers is a step in the wrong direction. Part of the problem with this policy is that it was formulated in Washington and dictated to San Antonio by officials in the Departments of Treasury, State, and the Environmental Protection Agency. When Washington dictates decisions to states and local governments without their input, those decisions are more likely to inspire anger and resentment than gratitude.

I ask my colleagues to remember this action and to encourage NADBank to re-think the wisdom of how they are distributing funds under this program.

Mr. REYES. Mr. Speaker, I am proud to join my colleagues in support of H.R. 254, which will amend the law that established the North American Development Bank. The needs along the U.S.-Mexico border are ever increasing. Population growth is rapid, estimated at more than 100 percent in the next 20 years. Today about 11 to 12 million people live along the border. By 2020, 22 million people will reside in the region. On the U.S. side of the border, the per capita income is 79 percent of the national average. Four of the ten poorest counties in the United States are along the U.S.-Mexico border.

In October of 1993, the United States and Mexico agreed to a new institutional structure to promote border environmental cleanup. The North American Free Trade Agreement (NAFTA) authorized the establishment of the North American Development Bank (NADBank) and the Border Environment Cooperation Commission (BECC) which work jointly to address some of the many environmental problems caused by free trade between Mexico and the United States. The primary focus of these two organizations has been to address the water and waste water needs of communities in the border region. And appropriately so: it is estimated that \$8 billion would be required to address needs for sewage treatment, drinking water, and municipal solid waste infrastructure projects along the border over the next decade. The BECC is directed to help border states and communities coordinate and design environmental infrastructure projects, and to certify projects for financing, while the NADBank evaluates the financial feasibility of projects certified by the BECC and provides financing as appropriate.

Despite the creation of the NADBank to provide loans to finance border environmental infrastructure projects, grants from the Environmental Protection Agency (EPA) have accounted for the vast majority of funding provided through the NADBank thus far.

As I expressed to the House Financial Services Committee last May, the financing pro-

vided by NADBank is often at too high of an interest rate to be affordable by many impoverished communities. I am pleased that enough of my colleagues recognized this problem, which led to the introduction of this legislation in the 107th Congress and its re-introduction this year.

This bill will allow for the NADBank to come closer towards reaching its full potential by allowing for non-market rate loans and grants to be made towards water and waste management infrastructure.

In order to expand the capacity of both institutions to address important binational environmental needs, this bill will expand the geographic scope for BECC and NADBank operations in Mexico from 100 kilometers to 300 km from the border. The geographic limit in the United States will remain unchanged at 100 km from the border. There is no doubt that the area encompassed within 100 km from the border is the area with the most dire needs. However, infusing additional funds within 300 km of the border on the Mexican side makes sense in helping build infrastructure and expanding the economy on Mexico's northern border. Assisting Mexico with infrastructure development needs in its northern border region will eventually relieve some of the pressure on the U.S. side of the border by providing opportunities for Mexican residents in Mexico.

The welcome changes this bill brings to the NADBank are a first step towards expanding the NADBank's role in financing infrastructure improvements along the U.S.-Mexico Border. In the future, I hope that the NADBank will be further authorized to finance any public infrastructure need along the border that can not be financed by conventional means. For example, in addition to needing water and sewage infrastructure, colonias are in desperate need of paved roads and a reliable energy supply. These communities suffer from a host of dire living conditions which should not be tolerated in our country.

I would like to thank my colleagues in the House Financial Services Committee for their work in moving this important piece of legislation to the floor so quickly in this Congress and look forward to working with them in the future to bring additional needed assistance to the U.S.-Mexico border region. I urge all my colleagues to vote in favor of H.R. 254.

Mr. OXLEY. Mr. Speaker, I rise today in support of H.R. 254, an important piece of legislation which makes changes to the operation of the North American Development Bank. These changes were negotiated by the United States and Mexico after President Bush and Mexican President Fox met to discuss ways to improve border conditions between our countries. The NADBank has been in operation for nearly 10 years, and is equally capitalized by both the U.S. and Mexico. However, in this time period the NADBank has made only a few loans while having over \$450 million in paid-in capital and a total lending capacity of \$2.7 billion.

I would like to commend my colleague, Mr. BEREUTER, for crafting this bill with input from both sides of the aisle and from Members representing each of the Border States. H.R. 254 contains the key changes requested by the Administration which will result in more NADBank programs without any increased costs to the taxpayers. The changes will allow the NADBank to finance projects further into

Mexico from the U.S. border and will permit below-market rate loans and grants to be used for projects on either side of the border. Additionally, the bill contains a requirement for the Treasury Department to report annually to Congress on the operations and disbursements of the NADBank. Several sections express the sense of Congress as to what types of projects the NADBank should pursue. These include water conservation, coastal conservation and air pollution projects. This bill is identical to H.R. 5400 which was approved by the House in the 107th Congress.

The NADBank is an important tool for financing environmental infrastructure projects on the border between the U.S. and Mexico. The changes we consider today will increase the ability of the NADBank to fulfill its mission and improve the environmental conditions along the border region while making it a stronger and more effective institution.

It is critical that the U.S. and Mexico work in close cooperation to improve environmental conditions along the border region. This institution and the changes we consider today will do just that. This bill has been requested by the President, negotiated by the Administration, and approved by voice vote in the Financial Services Committee. I strongly urge my colleagues to support these changes to the NADBank and join me in voting to approve H.R. 524.

Mr. BONILLA. Mr. Speaker, I rise in support of H.R. 254. This legislation will reauthorize the North American Development Bank (NADBank) and allow NADBank to make grants and loans to improve water supplies and the environment along the border at more flexible rates. As I travel my district, which includes approximately 800 miles of the U.S.-Mexico border, I am repeatedly reminded of the tremendous need for potable water, wastewater treatment, and municipal solid waste management.

Many towns in my district have directly benefitted from the investment brought by NADBank over the years. In Del Rio, the construction of a potable water treatment plant, the replacement of water pumping facilities and a potable water ground storage tank was recently completed with the help of NADBank financing. In Eagle Pass, NADBank is currently financing the replacement of two water treatment plants and the construction of a new wastewater treatment plant. Thanks to NADBank investment, water distribution lines and wastewater collection lines will be installed and water storage facilities built to serve 15 colonias surrounding Laredo in the near future. Uvalde recently benefitted from NADBank financing of landfill expansion and equipment purchases for efficient operation.

Many of these important projects would not have been possible were it not for NADBank investment. Thanks to this investment, environmental conditions and living standards along the border have been dramatically improved.

I urge the House to pass this legislation so that these communities and other like them may continue to reap the benefits of NADBank investment.

Mrs. BIGGERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FLAKE). The question is on the motion

offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 254.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMERICAN 5-CENT COIN DESIGN CONTINUITY ACT OF 2003

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 258) to ensure continuity for the design of the 5-cent coin, establish the Citizens Coinage Advisory Committee, and for other purposes, as amended.

The Clerk read as follows:

H.R. 258

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American 5-Cent Coin Design Continuity Act of 2003".

TITLE I—U.S. 5-CENT COIN DESIGN CONTINUITY

SEC. 101. DESIGNS ON THE 5-CENT COIN.

(a) IN GENERAL.—Subject to subsection (b) and after consulting with the Citizens Coinage Advisory Committee and the Commission of Fine Arts, the Secretary of the Treasury may change the design on the obverse and the reverse of the 5-cent coin for coins issued in 2003, 2004, and 2005 in recognition of the bicentennial of the Louisiana Purchase and the expedition of Meriwether Lewis and William Clark.

(b) DESIGN SPECIFICATIONS.—

(1) OBERSE.—If the Secretary of the Treasury elects to change the obverse of 5-cent coins issued during 2003, 2004, and 2005, the design shall depict a likeness of President Thomas Jefferson, different from the likeness that appeared on the obverse of the 5-cent coins issued during 2002, in recognition of his role with respect to the Louisiana Purchase and the commissioning of the Lewis and Clark expedition.

(2) REVERSE.—If the Secretary of the Treasury elects to change the reverse of the 5-cent coins issued during 2003, 2004, and 2005, the design selected shall depict images that are emblematic of the Louisiana Purchase or the expedition of Meriwether Lewis and William Clark.

(3) OTHER INSCRIPTIONS.—5-cent coins issued during 2003, 2004, and 2005 shall continue to meet all other requirements for inscriptions and designations applicable to circulating coins under section 5112(d)(1) of title 31, United States Code.

SEC. 102. DESIGNS ON THE 5-CENT COIN SUBSEQUENT TO THE RECOGNITION OF THE BICENTENNIAL OF THE LOUISIANA PURCHASE AND THE LEWIS AND CLARK EXPEDITION.

(a) IN GENERAL.—Section 5112(d)(1) of title 31, United States Code, is amended by inserting after the 4th sentence the following new sentence: "Subject to other provisions of this subsection, the obverse of any 5-cent coin issued after December 31, 2005, shall bear the likeness of Thomas Jefferson and the reverse of any such 5-cent coin shall bear an image of the home of Thomas Jefferson at Monticello."

(b) DESIGN CONSULTATION.—The 2d sentence of section 5112(d)(2) of title 31, United States Code, is amended by inserting "and after consulting with the Citizens Coinage Advisory Committee and the Commission of Fine Arts," after "The Secretary may".

SEC. 103. CITIZENS COINAGE ADVISORY COMMITTEE.

(a) IN GENERAL.—Section 5135 of title 31, United States Code, is amended to read as follows:

"§ 5135. Citizens Coinage Advisory Committee

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—There is hereby established the Citizens Coinage Advisory Committee (in this section referred to as the 'Advisory Committee') to advise the Secretary of the Treasury on the selection of themes and designs for coins.

"(2) OVERSIGHT OF ADVISORY COMMITTEE.—The Advisory Committee shall be subject to the authority of the Secretary of the Treasury (hereafter in this section referred to as the 'Secretary').

"(b) MEMBERSHIP.—

"(1) APPOINTMENT.—The Advisory Committee shall consist of 11 members appointed by the Secretary as follows:

"(A) 7 persons appointed by the Secretary—

"(i) 1 of whom shall be appointed from among individuals who are specially qualified to serve on the Advisory Committee by virtue of their education, training, or experience as a nationally or internationally recognized curator in the United States of a numismatic collection;

"(ii) 1 of whom shall be appointed from among individuals who are specially qualified to serve on the Advisory Committee by virtue of their experience in the medallic arts or sculpture;

"(iii) 1 of whom shall be appointed from among individuals who are specially qualified to serve on the Advisory Committee by virtue of their education, training, or experience in American history;

"(iv) 1 of whom shall be appointed from among individuals who are specially qualified to serve on the Advisory Committee by virtue of their education, training, or experience in numismatics; and

"(v) 3 of whom shall be appointed from among individuals who can represent the interests of the general public in the coinage of the United States.

"(B) 4 persons appointed by the Secretary on the basis of the recommendations of the following officials who shall make the selection for such recommendation from among citizens who are specially qualified to serve on the Advisory Committee by virtue of their education, training, or experience:

"(i) 1 person recommended by the Speaker of the House of Representatives.

"(ii) 1 person recommended by the minority leader of the House of Representatives.

"(iii) 1 person recommended by the majority leader of the Senate.

"(iv) 1 person recommended by the minority leader of the Senate.

"(2) TERMS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), members of the Advisory Committee shall be appointed for a term of 4 years.

"(B) TERMS OF INITIAL APPOINTEES.—As designated by the Secretary at the time of appointment, of the members first appointed—

"(i) 4 of the members appointed under paragraph (1)(A) shall be appointed for a term of 4 years;

"(ii) the 4 members appointed under paragraph (1)(B) shall be appointed for a term of 3 years; and

"(iii) 3 of the members appointed under paragraph (1)(A) shall be appointed for a term of 2 years.

"(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual may be appointed to

the Advisory Committee while serving as an officer or employee of the Federal Government.

"(4) CONTINUATION OF SERVICE.—Each appointed member may continue to serve for up to 6 months after the expiration of the term of office to which such member was appointed until a successor has been appointed.

"(5) VACANCY AND REMOVAL.—

"(A) IN GENERAL.—Any vacancy on the Advisory Committee shall be filled in the manner in which the original appointment was made.

"(B) REMOVAL.—Advisory Committee members shall serve at the discretion of the Secretary and may be removed at any time for good cause.

"(6) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be appointed for a term of 1 year by the Secretary from among the members of the Advisory Committee.

"(7) PAY AND EXPENSES.—Members of the Advisory Committee shall serve without pay for such service but each member of the Advisory Committee shall be reimbursed from the United States Mint Public Enterprise Fund for travel, lodging, meals, and incidental expenses incurred in connection with attendance of such members at meetings of the Advisory Committee in the same amounts and under the same conditions as employees of the United States Mint who engage in official travel, as determined by the Secretary.

"(8) MEETINGS.—

"(A) IN GENERAL.—The Advisory Committee shall meet at the call of the Secretary, the chairperson, or a majority of the members, but not less frequently than twice annually.

"(B) OPEN MEETINGS.—Each meeting of the Advisory Committee shall be open to the public.

"(C) PRIOR NOTICE OF MEETINGS.—Timely notice of each meeting of the Advisory Committee shall be published in the Federal Register, and timely notice of each meeting shall be made to trade publications and publications of general circulation.

"(9) QUORUM.—7 members of the Advisory Committee shall constitute a quorum.

"(c) DUTIES OF THE ADVISORY COMMITTEE.—The duties of the Advisory Committee are as follows:

"(1) Advising the Secretary of the Treasury on any theme or design proposals relating to circulating coinage, bullion coinage, congressional gold medals and national and other medals produced by the Secretary of the Treasury in accordance with section 5111 of title 31, United States Code.

"(2) Advising the Secretary of the Treasury with regard to—

"(A) the events, persons, or places that the Advisory Committee recommends be commemorated by the issuance of commemorative coins in each of the 5 calendar years succeeding the year in which a commemorative coin designation is made;

"(B) the mintage level for any commemorative coin recommended under subparagraph (A); and

"(C) the proposed designs for commemorative coins.

"(d) EXPENSES.—The expenses of the Advisory Committee that the Secretary of the Treasury determines to be reasonable and appropriate shall be paid by the Secretary from the United States Mint Public Enterprise Fund.

"(e) ADMINISTRATIVE SUPPORT, TECHNICAL SERVICES, AND ADVICE.—Upon the request of the Advisory Committee, or as necessary for the Advisory Committee to carry out the responsibilities of the Advisory Committee under this section, the Director of the

United States Mint shall provide to the Advisory Committee the administrative support, technical services, and advice that the Secretary of the Treasury determines to be reasonable and appropriate.

“(f) CONSULTATION AUTHORITY.—In carrying out the duties of the Advisory Committee under this section, the Advisory Committee may consult with the Commission of Fine Arts.

“(g) ANNUAL REPORT.—

“(1) REQUIRED.—Not later than September 30 of each year, the Advisory Committee shall submit a report to the Secretary, the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate. Should circumstances arise in which the Advisory Committee cannot meet the September 30 deadline in any year, the Secretary shall advise the Chairpersons of the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate of the reasons for such delay and the date on which the submission of the report is anticipated.

“(2) CONTENTS.—The report required by paragraph (1) shall describe the activities of the Advisory Committee during the preceding year and the reports and recommendations made by the Advisory Committee to the Secretary of the Treasury.

“(h) FEDERAL ADVISORY COMMITTEE ACT DOES NOT APPLY.—Subject to the requirements of subsection (b)(8), the Federal Advisory Committee Act shall not apply with respect to the Committee.”.

(b) ABOLISHMENT OF CITIZENS COMMEMORATIVE COIN ADVISORY COMMITTEE.—Effective on the date of the enactment of this Act, the Citizens Commemorative Coin Advisory Committee (established by section 5135 of title 31, United States Code, as in effect before the amendment made by subsection (a)) is hereby abolished.

(c) CONTINUITY OF MEMBERS OF CITIZENS COMMEMORATIVE COIN ADVISORY COMMITTEE.—Subject to paragraphs (1) and (2) of section 5135(b) of title 31, United States Code, any person who is a member of the Citizens Commemorative Coin Advisory Committee on the date of the enactment of this Act, other than the member of such committee who is appointed from among the officers or employees of the United States Mint, may continue to serve the remainder of the term to which such member was appointed as a member of the Citizens Coinage Advisory Committee in one of the positions as determined by the Secretary.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5112(l)(4)(A)(ii) of title 31, United States Code, is amended by striking “Citizens Commemorative Coin Advisory Committee” and inserting “Citizens Coinage Advisory Committee”.

(2) Section 5134(c) of title 31, United States Code, is amended—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

TITLE II—TECHNICAL AND CLARIFYING PROVISIONS

SEC. 201. CLARIFICATION OF EXISTING LAW.

(a) IN GENERAL.—Section 5134(f)(1) of title 31, United States Code, is amended to read as follows:

“(1) PAYMENT OF SURCHARGES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, no amount derived from the proceeds of any surcharge imposed on the sale of any numismatic item shall be paid from the fund to any designated recipient organization unless—

“(i) all numismatic operation and program costs allocable to the program under which

such numismatic item is produced and sold have been recovered; and

“(ii) the designated recipient organization submits an audited financial statement that demonstrates, to the satisfaction of the Secretary, that, with respect to all projects or purposes for which the proceeds of such surcharge may be used, the organization has raised funds from private sources for such projects and purposes in an amount that is equal to or greater than the total amount of the proceeds of such surcharge derived from the sale of such numismatic item.

“(B) UNPAID AMOUNTS.—If any amount derived from the proceeds of any surcharge imposed on the sale of any numismatic item that may otherwise be paid from the fund, under any provision of law relating to such numismatic item, to any designated recipient organization remains unpaid to such organization solely by reason of the matching fund requirement contained in subparagraph (A)(ii) after the end of the 2-year period beginning on the later of—

“(i) the last day any such numismatic item is issued by the Secretary; or

“(ii) the date of the enactment of the American 5-Cent Coin Design Continuity Act of 2003,

such unpaid amount shall be deposited in the Treasury as miscellaneous receipts.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply as of the date of the enactment of Public Law 104-208.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT).

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Mr. Speaker, I rise in support today of H.R. 258.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. CANTOR), the sponsor of this bill.

Mr. CANTOR. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise today to speak in favor of the American 5-Cent Coin Design Continuity Act which is almost identical to H.R. 4903 that passed the House unanimously on July 22, 2002. This legislation will allow the U.S. Mint to remove Monticello from the nickel for the next 3 years to recognize the Louisiana Purchase and historic Lewis and Clark expedition, two great accomplishments of Jefferson's Presidency. After 3 years Monticello, the Virginia home of President Thomas Jefferson, will be returned to the reverse side of the nickel. Additionally, the bill would establish a Citizens Coin Design Advisory Committee that reports directly to the Secretary of the Treasury. The purpose of the committee would be to advise the Sec-

retary on the design or redesign of coins and medals, providing a broad range of input from professional and citizen representatives. I believe that the Treasury Secretary needs a second independent opinion on proposals to redesign circulating coinage and on other mint products, and this committee will provide that opinion.

Finally, Mr. Speaker, this bill will clarify congressional intent regarding the disbursement of surcharges raised through the sale of Mint-produced commemorative coins. Mr. Speaker, this bill represents the bipartisan work of the entire Virginia delegation. I want to thank them because it will result in honoring the courageous Lewis and Clark expedition and its benefactor, Thomas Jefferson. I urge my colleagues to support H.R. 258 today.

Mr. Speaker, I rise today to speak in favor of the American 5-Cent Coin Design Continuity Act (H.R. 258), which is almost identical to H.R. 4903 that passed the House unanimously on July 22, 2002.

This legislation will allow the U.S. Mint to remove Monticello from the nickel for the next 3 years to recognize the Louisiana purchase and historic Lewis and Clark expedition, two great accomplishments of Jefferson's presidency. After 3 years Monticello, the Virginia home of Thomas Jefferson, will be returned to the reverse side of the nickel.

Additionally, H.R. 258 would establish a Citizens Coin Design Advisory Committee that reports directly to the Secretary of the Treasury. The purpose of the committee would be to advise the Secretary on the design or redesign of coins and medals, providing a broad range of input from professional and citizen representatives. I believe the Treasury Secretary needs a second, independent, opinion on proposals to redesign circulating coinage, and on other Mint products and this committee will provide that opinion.

Finally, H.R. 258 will clarify Congressional intent regarding the disbursement of surcharges raised through the sale of Mint-produced commemorative coins.

This correction will allow the University of Virginia and several other organizations access to funds from pre-existing commemorative coins at no cost to the American taxpayer.

I originally introduced this legislation after representatives from the mint came to my office last summer and informed me that the image of Thomas Jefferson's Monticello would be removed from the reverse of the nickel and would be replaced by a questionable image to recognize the 200th anniversary of the Lewis and Clark expedition. Although I fully support celebrating the great achievements of the Corps of Discovery, I was surprised by the way the Mint made its decision on this issue.

The Treasury Department has the authority to change the nickel once every 25 years, and this new design was presented as the replacement for Monticello. I learned from the Mint representatives that this new design was chosen internally without input from the American people or Congress. Even more disturbing, I also learned the Mint planned to announce its redesign shortly after our meeting.

I was concerned about the Mint's plan because Jefferson's beloved Monticello represents so much to the people of the Commonwealth of Virginia and to all Americans,

But, I also feared that the new design being proposed was reminiscent of the Sacagawea experience that has been extremely unpopular with the American public.

Monticello is the autobiographical masterpiece of Thomas Jefferson or as he called it, his "essay in architecture" and is recognized as an international treasure. It is the only home in America on the World Heritage List of sites that must be protected at all costs. At his beloved Monticello, Jefferson assumed his place in history as one of the greatest public servants of all time, shaping, debating, and honing his beliefs in liberty, democracy, and equality for all.

H.R. 258 authorized the Mint to implement a four-year plan that will change the design on the reverse side of the nickel for 2003, 2004, and 2005 in order to recognize the 200th anniversary of the Louisiana Purchase and the Lewis and Clark expedition. In 2006, Monticello will return to the reverse of the nickel and this coin will become the new circulating 5 cent piece.

Additionally, so that we don't experience another Sacagawea type failure, my bill provides a mechanism to ensure public input is considered during the redesign of our coinage.

The bill creates an independent Coin Design Advisory Committee which will make recommendations to the Secretary of the Treasury as to the appropriate designs for the Lewis and Clark series and all future coin redesigns.

I emphasize the word independent. Mr. Speaker, this panel is not intended to merely ratify proposals, but is intended to be able to speak with its own voice.

It will review all designs or redesigns of circulating and commemorative coins and of Congressional Gold Medals ideas that the Mint puts forward. This committee will be made up of a coin collector, an internationally recognized coin museum curator, an expert in American history, and either a sculptor or a medallist—all appointed by the Treasury Secretary—as well as four persons named by the leadership in the House and Senate. It will be able to provide the Secretary with a broad range of expertise and input to ensure that any redesign of circulating coinage, as well as the designs for commemorative coins and Congressional Gold Medals, be artistically appropriate and consistent with broad American themes and values.

Finally, Mr. Speaker, unlike a predecessor design review panel that reported to the Mint and considered only commemorative coin designs, this panel will meet in public.

Additionally, Title II of my legislation clarifies language in the Commemorative Coin Reform Act of 1995 regarding the distribution of surcharge money raised by this sale of commemorative coins. That legislation specified that no surcharges were to be paid out until taxpayers had been repaid for the cost of the program, reforming a commemorative coins program that had cost taxpayers tens of millions of dollars in the past.

After taxpayer costs were recovered, it specified that beneficiary organizations enumerated in the enabling legislation can benefit from these surcharges.

H.R. 258 clarifies the intent of the specified disbursement procedure. Two programs have not received any surcharge disbursement despite having raised substantial private funds: the Black Revolutionary War Patriots coin program and the Leif Ericson coin program.

The University of Virginia will benefit from this change and be able to fund a student exchange program with Iceland, that will help foster Jeffersonian ideals between these two long standing democracies.

Mr. Speaker, this bill represents the bipartisan work of the entire Virginia delegation and will result in honoring the courageous Lewis and Clark expedition and its benefactor, Thomas Jefferson. I urge my colleagues to support H.R. 258 today.

Mrs. MALONEY. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of legislation that will preserve Monticello on the United States nickel. All Americans are familiar with the role Thomas Jefferson played in our Nation's founding. Jefferson was the third President of the United States, author of the Declaration of Independence, and the founder of the University of Virginia. Thomas Jefferson's beautiful home, Monticello, was where one of America's foremost thinkers produced many of his finest writings and great work. Monticello still stands outside of Charlottesville, Virginia, and it is appropriate that we preserve its place in our national heritage upon our national coinage.

This year marks the 200th year celebration of the Louisiana Purchase and the voyage of Lewis and Clark into the western frontier. In an effort to recognize this important journey, the United States Mint has proposed celebrating this anniversary by commemorating the voyage and discoveries of Lewis and Clark on the nickel. The intent of the legislation we are considering today is to allow this anniversary to be celebrated while mandating that Monticello will return to the nickel after the celebration of Lewis and Clark.

The gentleman from Virginia (Mr. CANTOR), whose district contains Monticello, has put forth a plan to allow the U.S. Mint to commemorate the journey of Lewis and Clark on the nickel for 3 years, after which the nickel will revert to the Monticello portrait in 2006.

The likeness of Thomas Jefferson and Monticello is a fixture on our national coinage. This legislation ensures that the memory and importance we hold for the author of our Declaration of Independence will be preserved while we celebrate the achievements of Lewis and Clark. Additionally, title II of this legislation makes technical changes to the Commemorative Coin Reform Act enacted in 1995. These changes are intended to make coin programs operate more smoothly.

I thank the gentleman from Virginia (Mr. CANTOR) for his leadership on this bill. I know he has worked with the Mint and Treasury to resolve the issues that were raised, and I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, I too want to salute the Congressman from Vir-

ginia's Seventh District for crafting this bipartisan measure covering in a fine way the interest of all the stakeholders. The original Mint proposal was to remove both the current Thomas Jefferson and Monticello from the nickel. Needless to say, that proposal created an uproar in central Virginia, which is home to Thomas Jefferson and Monticello, the dwelling of our Nation's third President.

Under this proposal the nickel will feature scenes from the discovery of Lewis and Clark and the Louisiana Purchase. That journey of Lewis and Clark which left St. Louis in 1804 had its beginnings in Charlottesville on January 18, 1803, when Jefferson requested funding from Congress for the Lewis and Clark expedition. In 2006 the nickel will return to its original front of Thomas Jefferson and the reverse of Monticello in a design similar to that which has been in place since 1938. I hope it will be the pleasure of this body to overwhelmingly pass this measure and lay the foundation for its enactment this year.

Mrs. MALONEY. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of Washington (Mr. BAIRD) where Lewis and Clark reached their final destination.

Mr. BAIRD. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I thank my good friend from the State of Virginia. It is appropriate that I follow him because, whereas the journey of Lewis and Clark began in his great district, it ended in mine, at least the first half of it. They went back home afterwards. But it is a great privilege and honor to represent the great State of Washington where Lewis and Clark, almost 200 years ago now, arrived at the coast, looked out across that ocean, hoping they would find a ship. They saw none, and they had to winter over across the river in the gentleman from Oregon's (Mr. WU) district.

But this commemoration is a chance not only to celebrate the accomplishments of Lewis and Clark but also the contributions of the Native Americans who helped them along their way to reinvigorate this Nation's spirit of adventure at a time when we sorely need it. By changing the nickel temporarily in this fashion, we can honor Lewis and Clark and also honor that great man, Thomas Jefferson, who sent them on the way.

I rise in strong support of this, thank my colleagues for their leadership on it, and hope the American people will find new inspiration when they use this nickel with the new design.

Mrs. MALONEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. BEREUTER).

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I rise in strong support of the legislation. I

am a co-chairman of the Lewis and Clark Caucus here in Congress. There is an equivalent effort in the Senate. We have been functioning for several years. The Members that have just spoken, from Virginia and Washington State, are certainly members of that. I think it is an outstanding item of legislation we have before us.

Just this January the celebration of the Corps of Exploration, which will continue through 2006, began at Monticello. I know the gentleman undoubtedly was very proud of that event, and now I think we will have many celebrations and commemorations for the next several years to celebrate the bicentennial of the Corps of Exploration. This gives additional attention to this dramatic involvement of American history, and I rise in support and ask the Members of the body to support it.

Mrs. BIGGERT. Mr. Speaker, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I also rise in support of the legislation, for all the underlying reasons that we have here.

I would like to just mention one other aspect, and I will submit a statement in full with respect to this. But the commemorative coin reform language, which required the beneficiary organization to raise private funds matching the surcharge they receive, has been misinterpreted by the Mint in a well-intentioned but unfortunate mix-up that has resulted in two coin program beneficiaries not receiving any surcharge distribution despite their coins having sold respectable numbers and having raised respectable amounts of private matching funds. They interpret the legislation that one had to sell to the maximum amount; and we believe one should have to sell to the minimum amount, to make a long story short.

This is something which we think should be corrected for these groups and long term. We spent a lot of time working with the subcommittee when I headed it, trying to make sure that we did not lean on public funding for these programs, but groups could benefit from it as they made proper sales. To make a long story short, that is essentially what is included in this legislation along with the Lewis and Clark, and I will submit a fuller explanation.

Mr. Speaker, I would like to take a few minutes to explain why I believe Mr. CANTOR's "American 5-Cent Coin Continuity Act" is important.

When I served as chairman of the old House Banking Committee's Domestic and International Monetary Policy subcommittee from 1995–98, a central portion of the subcommittee's business dealing with the United States Mint focused on increasing the usefulness of circulating coins and on reforming the nation's commemorative coin program, which had begun to cost taxpayers fairly large sums of money.

When reform of the commemorative coin program, we eliminated the costs to the taxpayer, limited the number of coin programs each year to enhance their importance and

desirability, and established the important principle that a group that is the beneficiary of the surcharges from the sale of commemorative coins should not view that as "free money," but should have to raise matching funds from the private sector before receiving the surcharge money.

The second title of this bill clarifies the surcharge-distribution section of any commemorative-coin reform language. That language, requiring the beneficiary organization to raise private funds matching the surcharges they receive, has been misinterpreted by the Mint in a well-intentioned, but unfortunate mixup that has resulted in two coin program beneficiaries not receiving any surcharge distribution despite their coins having sold respectable numbers and having raised respectable amounts of private matching funds. Both the Black Revolutionary War Patriots program and the Leif Ericson program would likely be eligible for surcharge distribution. As before, this involves no taxpayer funds whatsoever.

To make sure there is no further confusion about how the matching is supposed to work, I want to take a moment to illustrate it with an example. In a case where the maximum possible surcharges that could be collected for the commemorative coin was \$5 million, but the Mint only managed to sell enough coins to collect \$3 million in surcharges, the private matching funds that would have to be raised to collect any portion of the \$3 million in surcharges must be \$3 million, nothing less. The intent is to set a high bar for matching funds so those programs with the most public support, as demonstrated through their ability to raise private matching funds, receive the surcharges. If the bar for matching funds were set too low, the commemorative coin program would be flooded with programs in search of "free" federal dollars.

Mr. Speaker, there is no cost involved in this bill at all. In fact, if our experience with the 50-state quarters is any guide, there may even be a modest gain to the Treasury, as some coins are taken out of circulation permanently as collectibles. So Mr. Speaker, I see this as one of the rare pieces of legislation we handle around here that has bipartisan support and for which there are no losers, only winners. I urge its immediate, unanimous passage.

Mr. GOODLATTE. Mr. Speaker, I am proud to be a cosponsor of this important legislation and am pleased to join the other members of the Virginia Delegation in supporting The American 5-Cent Coin Design Continuity Act of 2003.

The strong support this bill has received from the Virginia Delegation is evidence of how important this bill is to preserving important symbols of American History.

As you all know, the Nickel currently displays a likeness of Thomas Jefferson on its face in addition to view of Monticello, Jefferson's home, on the reverse.

Thomas Jefferson, author of the Declaration of Independence and the Fourth President of the United States, is one of eight great men who rose to become President from Virginia, and is a source of great pride for not only Virginians, but for all Americans.

H.R. 258 was introduced to commemorate the 200th Anniversary of the Lewis and Clark Expedition, commissioned by President Thomas Jefferson to explore the new territory acquired through the Louisiana Purchase.

Earlier this year I was honored to attend the Commencement Ceremony of the Lewis and

Clark Bicentennial at Monticello, the home of Thomas Jefferson outside of Charlottesville, Virginia, where the expedition began in 1803.

From 2003 through 2006 our nation will observe the bicentennial of this incredible journey, this will also serve as the 200-year anniversary as the complete nation Jefferson envisioned.

H.R. 258 would authorize the Secretary of the Treasury to redesign the Nickel over a four-year period to commemorate the Louisiana Purchase and the Lewis and Clark Expedition. At the end of this period the nickel would revert to being a permanent tribute to Thomas Jefferson and Monticello, which are of invaluable historical importance to our great nation.

A similar bill was passed in the 107th Congress by the House on July 22, 2002. The bill was referred to the Senate where unfortunately no action was taken during the 107th Congress.

I urge all members to support this important piece of legislation that not only commemorates two brave explorers, but also ensures that a great symbol of American history is preserved.

Ms. HOOLEY. Mr. Speaker, thank you for the opportunity to speak to you today about the bicentennial of the Voyage of Meriwether Lewis and William Clark. As you know, Lewis and Clark were true pioneers who are integral to the history of my home state of Oregon. The final destination of their journey, was, after all, the Pacific Coast of Oregon. In fact, they spent a winter, and discovered a beached whale, just a few short miles north of my district. One might say that, if there were not so courageous and brave to make the difficult journey that they did, neither I nor the other representatives from the Pacific Northwest would be here in Congress today! Well, I for one am very thankful that they completed that journey!

I'm excited and encouraged by the legislation before our committee today to honor the bicentennial of the Voyage of Lewis and Clark. In these troubling times, when fear seems all too commonplace, I believe it is important for all of us to look to those great adventurers that helped make this country what it is, and to take heart in the courage, perseverance, and dedication with which they overcame their own obstacles.

Thank you again Mr. Speaker for the opportunity to offer my support for this legislation.

Mrs. BIGGERT. Mr. Speaker, I urge support of the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 258, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. BIGGERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RENAMING GUAM SOUTH ELEMENTARY/MIDDLE SCHOOL IN HONOR OF NAVY COMMANDER WILLIAM "WILLIE" MCCOOL

Mr. HEFLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 672) to rename the Guam South Elementary/Middle School of the Department of Defense Domestic Dependents Elementary and Secondary Schools System in honor of Navy Commander William "Willie" McCool, who was the pilot of the Space Shuttle *Columbia* when it was tragically lost on February 1, 2003, as amended.

The Clerk read as follows:

H.R. 672

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF COMMANDER WILLIAM C. MCCOOL ELEMENTARY/MIDDLE SCHOOL, APR A HEIGHTS, GUAM.

(a) FINDINGS.—Congress finds the following:

(1) Commander William C. McCool of the United States Navy, pilot of the Space Shuttle *Columbia* when it was tragically lost on February 1, 2003, attended Dededo Middle School and John F. Kennedy High School on Guam.

(2) Commander McCool carried a flag commemorating the liberation of Guam on NASA mission STS-107 of the Space Shuttle *Columbia*.

(3) Commander McCool pursued his dream of space flight with vigor and passion and, by his life and accomplishments, is an inspiration for school children everywhere to dare to dream big things, to believe in themselves, and to reach for the stars.

(b) DESIGNATION.—The Guam South Elementary/Middle School of the Department of Defense Domestic Dependents Elementary and Secondary Schools System in Apra Heights, Guam, shall be known and designated as the "Commander William C. McCool Elementary/Middle School", in honor of William C. McCool, who was a commander in the United States Navy and pilot of the Space Shuttle *Columbia* when it was tragically lost on February 1, 2003.

(c) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Guam South Elementary/Middle School shall be deemed to be a reference to the "Commander William C. McCool Elementary/Middle School".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. HEFLEY) and the gentleman from Guam (MS. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

GENERAL LEAVE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HEFLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 672, the act to rename the Guam South Elementary/Middle School in honor of Navy Commander

William "Willie" McCool, who was pilot of the Space Shuttle *Columbia* when it was tragically lost on February 1, 2003.

This bill recognizes the intrepid spirit, commitment to public service, and the ultimate sacrifice made by Commander McCool. The United States space program and our entire Nation lost a highly skilled and courageous member of our superb Armed Forces when Commander McCool and his fellow astronauts were lost earlier this month. It is entirely fitting that as a former student of the Guam South Elementary and Secondary Schools System, Commander McCool be remembered by naming the Guam South Elementary/Middle School in his honor.

This measure is a small step in recognizing Commander McCool's brilliant career and his selfless dedication to our Nation as well as memorializing his spirit at a place where he spent a formative period in his youth.

We can all be proud to support this bill, secure in the knowledge that future generations of students can draw inspirations from his example. Commander McCool's service represents the very best evidence of the long-term commitment to this country to space exploration and it reminds us why those who represent us all in space represent the very best in America.

□ 1445

Mr. Speaker, I ask my colleagues to support this measure.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I introduced H.R. 672 to rename the Guam South Elementary/Middle School as the Commander William C. McCool Elementary/Middle School in memory of the pilot of Space Shuttle *Columbia* on its final mission.

I would like to thank the gentleman from Colorado (Mr. HEFLEY), the 26 bipartisan cosponsors of this legislation, as well as the leadership of the Committee on Armed Services for their assistance in bringing this legislation to the floor to coincide with the memorial service for Commander McCool being held this week at the U.S. Naval Academy.

With this act of Congress, I hope that Commander McCool's bravery and academic excellence will be permanently affixed in the hearts and minds of the children of Guam. Commander McCool lived on Guam while his father served as a Navy pilot, and he attended Dededo Middle School and John F. Kennedy High School. He was an exceptional student and a talented long distance runner.

He studied hard and earned the opportunity to attend the United States Naval Academy, where he graduated second in his class in 1983. He went on to receive his Masters of Science in computer science at the University of Maryland in 1985. After completing several deployments with Tactical Elec-

tronic Warfare Squadrons 129 and 133, Commander McCool was accepted into the Naval Postgraduate School/Test Pilot School, TPS, in 1989.

After graduating from TPS in 1992, Commander McCool managed a wide range of projects, often coordinating studies and tests of aviation vessels with the United States Navy. His distinguished record of service led to his selection in NASA's astronaut program in April of 1996.

Commander McCool pursued his dream of space flight with vigor and passion. He lived his dream, and we on Guam are amazed that someone we knew, who was part of our island community, was the pilot of a space shuttle. Teachers on Guam point to his remarkable life to inspire school children to dare to dream big things, to believe in themselves, and to reach for the stars. Today, we are reminded of his dream. We are inspired by his strength of character, and we are called to do our part to keep his dream alive.

Guam South is part of the Department of Defense Domestic Dependence Elementary and Secondary School System. Commander McCool would be proud to be associated with it. The school was established in 1997 and now has 750 students. The elementary school is 550 students strong, with blue and white as its colors and the Jaguar as its mascot. The middle school is 200 students strong, with the Guam South Stingrays as their mascot. Guam South is ably run by Principal William Hall and 75 outstanding teachers.

The clients of the school are primarily Navy families, just like Commander McCool's. Willie McCool was a dedicated husband and father. He leaves behind his lovely wife, Lani, and their three sons, Sean, 22; Christopher, 20; and Cameron, 15. He is survived by his parents, Barry and Audrey McCool, as well as Lani's parents, Atilana and Albert Vellejos, who live in Dededo, Guam. They join the families of Rick Husband, David Brown, Ilan Ramon, Kalpana Chawla, Michael Anderson, and Laurel Clark in bearing the burden and the glory of this Nation's space aspirations.

So for all of them and for the future participants of our space program studying on Guam, I commend this legislation to my colleagues and urge its swift passage.

I would like to end my remarks by calling for a moment of silence to remember the crew of Space Shuttle *Columbia* on Mission STS-107.

As we say good-bye to Willie McCool, I would like to point out that here he is standing before the shuttle just before leaving with our island flag. Pues adios, Willie; in guaiya hao. In our Chamorro language this means good-bye, Willie; we love you.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HEFLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FLAKE). The question is on the motion offered by the gentleman from Colorado (Mr. HEFLEY) that the House suspend the rules and pass the bill, H.R. 672, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Concurrent Resolution 36, by the yeas and nays; and

H.R. 258, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

CELEBRATING THE 140TH ANNIVERSARY OF THE EMANCIPATION PROCLAMATION AND COMMENDING ABRAHAM LINCOLN'S EFFORTS TO END SLAVERY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 36.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 36, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 19, as follows:

[Roll No. 35]

YEAS—415

Abercrombie	Bishop (GA)	Calvert
Ackerman	Bishop (NY)	Camp
Aderholt	Bishop (UT)	Cannon
Akin	Blackburn	Cantor
Alexander	Blumenauer	Capito
Allen	Blunt	Capps
Andrews	Boehlert	Capuano
Baca	Boehner	Cardin
Bachus	Bonilla	Cardoza
Baird	Bonner	Carson (OK)
Baker	Bono	Carter
Baldwin	Boozman	Case
Ballance	Boswell	Castle
Ballenger	Boucher	Chabot
Barrett (SC)	Boyd	Chocola
Bartlett (MD)	Bradley (NH)	Clay
Barton (TX)	Brady (PA)	Coble
Bass	Brady (TX)	Cole
Beauprez	Brown (OH)	Collins
Becerra	Brown (SC)	Combest
Bell	Brown, Corrine	Cooper
Bereuter	Brown-Waite,	Costello
Berkley	Ginny	Cramer
Berman	Burgess	Crane
Berry	Burns	Crenshaw
Biggert	Burton (IN)	Crowley
Bilirakis	Buyer	Cubin

Culberson	Inslee	Nunes
Cummings	Isakson	Nussle
Cunningham	Israel	Oberstar
Davis (AL)	Issa	Obeys
Davis (CA)	Istook	Olver
Davis (FL)	Jackson (IL)	Ortiz
Davis (IL)	Jackson-Lee	Osborne
Davis (TN)	(TX)	Ose
Davis, Jo Ann	Janklow	Otter
Davis, Tom	Jefferson	Owens
Deal (GA)	Jenkins	Oxley
DeFazio	John	Pallone
DeGette	Johnson (CT)	Pascarell
Delahunt	Johnson (IL)	Pastor
DeLauro	Johnson, E. B.	Paul
DeLay	Johnson, Sam	Payne
DeMint	Jones (NC)	Pearce
Deutsch	Jones (OH)	Pelosi
Diaz-Balart, L.	Kanjorski	Pence
Diaz-Balart, M.	Kaptur	Peterson (PA)
Dicks	Keller	Petri
Dingell	Kelly	Pickering
Doggett	Kennedy (MN)	Pitts
Dooley (CA)	Kildee	Platts
Doolittle	Kilpatrick	Pombo
Doyle	Kind	Pomeroy
Dreier	King (IA)	Porter
Duncan	King (NY)	Portman
Dunn	Kingston	Price (NC)
Edwards	Kirk	Pryce (OH)
Ehlers	Klecza	Putnam
Emanuel	Kline	Quinn
Emerson	Knollenberg	Radanovich
Engel	Kolbe	Rahall
English	Kucinich	Ramstad
Eshoo	LaHood	Rangel
Etheridge	Lampson	Regula
Evans	Langevin	Rehberg
Everett	Lantos	Renzi
Farr	Larsen (WA)	Reyes
Fattah	Larson (CT)	Reynolds
Feeney	Latham	Rodriguez
Ferguson	LaTourette	Rogers (AL)
Filner	Leach	Rogers (KY)
Flake	Lee	Rogers (MI)
Fletcher	Levin	Rohrabacher
Foley	Lewis (CA)	Ros-Lehtinen
Forbes	Lewis (GA)	Ross
Ford	Lewis (KY)	Rothman
Fossella	Lipinski	Roybal-Allard
Frank (MA)	LoBiondo	Royce
Franks (AZ)	Lofgren	Ruppersberger
Frelinghuysen	Lowe	Rush
Frost	Lucas (KY)	Lucas (OK)
Gallegly	Lucas (OK)	Lynch
Garrett (NJ)	Majette	Maloney
Gerlach	Maloney	Manzullo
Gibbons	Markey	Marshall
Gilchrest	Matheson	Matsui
Gillmor	McCarthy (MO)	McCarthy (NY)
Gingrey	McCollum	Schiff
Gonzalez	McCotter	Schrock
Goode	McDermott	Scott (GA)
Goodlatte	McGovern	Scott (VA)
Gordon	McHugh	Sensenbrenner
Goss	McInnis	Serrano
Granger	McIntyre	Sessions
Graves	McKeon	Shadeegg
Green (TX)	McNulty	Shaw
Green (WI)	Meehan	Shays
Greenwood	Meek (FL)	Sherman
Grijalva	Meeks (NY)	Sherwood
Gutierrez	Menendez	Shimkus
Gutknecht	Mica	Shuster
Hall	Michaud	Simmons
Harman	Miller (FL)	Simpson
Harris	Miller (MI)	Skelton
Hart	Miller (NC)	Slaughter
Hastings (FL)	Miller, Gary	Smith (MI)
Hastings (WA)	Miller, George	Smith (NJ)
Hayes	Mollohan	Smith (TX)
Hayworth	Moore	Smith (WA)
Hefley	Moran (KS)	Solis
Hensarling	Moran (VA)	Souder
Hergert	Murphy	Spratt
Hill	Murtha	Stark
Hinche	Musgrave	Stearns
Hinojosa	Myrick	Stenholm
Hobson	Napolitano	Strickland
Hoekstra	Neal (MA)	Stupak
Holden	Nethercutt	Sullivan
Holt	Ney	Sweeney
Honda	Northup	Tancredo
Hooley (OR)	Norwood	Tanner
Hostettler		Tauscher
Houghton		
Hoyer		
Hulshof		
Hunter		

Tauzin	Udall (CO)	Weldon (FL)
Taylor (MS)	Udall (NM)	Weller
Taylor (NC)	Upton	Wexler
Terry	Van Hollen	Whitfield
Thomas	Velazquez	Wicker
Thompson (CA)	Visclosky	Wilson (NM)
Thompson (MS)	Vitter	Wilson (SC)
Thornberry	Walden (OR)	Wolf
Tiberi	Walsh	Woolsey
Tierney	Wamp	Wu
Toomey	Waters	Wynn
Towns	Watson	Young (AK)
Turner (OH)	Watt	
Turner (TX)	Weiner	

NOT VOTING—19

Burr	Hyde	Peterson (MN)
Carson (IN)	Kennedy (RI)	Snyder
Clyburn	Linder	Tiahrt
Conyers	McCrery	Waxman
Cox	Millender-	Weldon (PA)
Gephardt	McDonald	Young (FL)
Hoefel	Nadler	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE) (during the vote). The Chair reminds Members there are 2 minutes remaining in this vote.

□ 1511

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE). Pursuant to clause 8 of rule XX, the next vote will be conducted as a 5-minute vote.

AMERICAN 5-CENT COIN DESIGN CONTINUITY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 258, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 258, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 5, not voting 17, as follows:

[Roll No. 36]

YEAS—412

Abercrombie	Bass	Boehner
Ackerman	Beauprez	Bonilla
Aderholt	Becerra	Bonner
Akin	Bell	Bono
Alexander	Bereuter	Boozman
Allen	Berkley	Boswell
Andrews	Berman	Boucher
Baca	Berry	Boyd
Bachus	Biggert	Bradley (NH)
Baird	Bilirakis	Brady (PA)
Baker	Bishop (GA)	Brady (TX)
Baldwin	Bishop (NY)	Brown (OH)
Ballance	Bishop (UT)	Brown (SC)
Ballenger	Blackburn	Brown, Corrine
Barrett (SC)	Blumenauer	Brown-Waite,
Bartlett (MD)	Blunt	Ginny
Barton (TX)	Boehlert	Burgess

Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Coble
Cole
Combest
Cooper
Costello
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Feeney
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva

Gutierrez
Gutknecht
Harman
Harris
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klecza
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre

McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg

Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeltton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan

Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky

Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—5

Capuano
Everett

Lucas (OK)
Pascarell

Tierney

NOT VOTING—17

Carson (IN)
Clyburn
Collins
Conyers
Cox
Fattah
Gephardt

Hart
Hoeffel
Hyde
Kennedy (RI)
Millender-
McDonald
Peterson (MN)

Snyder
Tiahrt
Waxman
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair reminds Members there are 2 minutes remaining in this vote.

□ 1520

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 22 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PORTER) at 5 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 534, HUMAN CLONING PROHIBITION ACT OF 2003

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 108-21) on the resolution (H. Res. 105) providing for consideration of the bill (H.R. 534), to amend title 18, United States Code, to prohibit human cloning, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1-minute speeches.

HONORING AIR FORCE STAFF SERGEANT STEPHEN M. ACHEY

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of South Carolina. Mr. Speaker, each day we ask the members of our armed services to perform their jobs with bravery and courage. Air Force Staff Sergeant Stephen M. Achey of Summerville, South Carolina is a shining example of an airman who rose above and beyond the call of duty.

Sergeant Achey, a command and control specialist with the 20th Air Operations Support Squadron, earned a Silver Star for his heroism in Afghanistan last March.

While surviving a mortar round explosion and crippled with a disabled radio, Sergeant Achey endured heavy enemy fire while coordinating and directing an air strike that saved the lives of many American soldiers. Pinned down for 18 hours, he managed to divert American aircraft, saving them from destruction and sparing many lives. He also provided cover fire for the rescue of all wounded soldiers.

This man exhibited the virtues of a true Lowcountry hero. If it were not for the courageous actions of Sergeant Achey, many of his comrades may not have survived and returned home. His gallantry is truly amazing and I am proud that he calls the First District of South Carolina his home.

CUTTING IMPACT AID FUNDING HURTS CHILDREN

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, the week-end before last, I attended the deployment at the 8th Hospital Unit, some proud sailors from Bremerton, Washington. We wanted to show our support for our troops and our sailors. And that is why I was so chagrined to return home to find out that the President wants to cut funding for these sailors' children.

That is right. The President has proposed cutting \$10 million from Federal assistance to the Central Kitsap School District. Why would the President, at the very time we are deploying our soldiers and our sailors to the Mideast, want to cut the educational funding for these proud American servicemen's and women's own education? It is flat wrong.

This \$10 million hit on the budget of my local school district is going to adversely affect the children whose mothers and fathers are now flying to the

Mideast for service to their country. We will do everything we can to stop the President of the United States from cutting educational funding at the very time that our people are deploying in the Mideast in order to finance the tax cuts for the rich that he wants to push through this Congress.

Mr. Speaker, I hope that we will develop a bipartisan consensus that this is a very bad idea to cut the impact aid funding that is going to so many heavily service-dependent economies in our region. If we do so, it will strike a blow for the men and women and their children who ought to have their schools protected at the time we are in the Mideast.

SUPPORTING THE PRESIDENTIAL STIMULUS PACKAGE

(Mr. REHBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REHBERG. Mr. Speaker, 2 years ago the Americans got a taste of tax relief with a promise that one day they might see an end to the marriage penalty, an end to death tax, a reduction of tax rates, and an increase in child tax credits.

With today's economy struggling and with the price of gasoline and heating oil going through the roof, Americans need more than promises, more than a mere taste of tax relief. Americans are looking for Congress to transform the temporary tax relief of 2001 into something permanent.

Mr. Speaker, I have always believed that the best way to stimulate the economy is not with more government spending but with more people spending. You cannot improve the well-being of families by spending more on government programs and bureaucracies. You can by ending the marriage penalty, killing the death tax, increasing child credits and reducing burdensome tax rates. It is time to put tax dollars back into the hands of the people who need it most.

Join me in supporting the President's economic stimulus package.

MIGUEL ESTRADA FOR FEDERAL JUDGE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I rise today in support of Miguel Estrada who has been nominated by President Bush to the Circuit Court of Appeals.

Mr. Estrada has an outstanding record. He graduated magna cum laude in 1986 from Harvard Law School where he was editor of the Harvard Law Review. He has clerked for the U.S. Supreme Court and served in a high position for the Manhattan U.S. Attorney's Office. He has practiced constitutional law and argued 15 cases before the Supreme Court.

Miguel Estrada's credentials prove that he is ready to be a Federal judge.

As the Washington Post said in a February 17 editorial, "The arguments against Mr. Estrada's confirmation range from the unpersuasive to the offensive." Some say he is too young or lacks judicial experience, and some have even disgracefully inferred that he is not a real Hispanic.

It is time for these shameful antics against Miguel Estrada to end, as he is well-qualified to be a Federal judge. I stand beside the President in support of Mr. Estrada.

CONDEMNING THE OSCAR NOMINATION OF ROMAN POLANSKI

(Mr. PUTNAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUTNAM. Mr. Speaker, just about every day the media glorifies and offers a platform for actors and actresses who speak out on the great issues of the day: war, environment, human rights. These social icons usually stress that they are taking these stands for our children; and rightfully so, cause we should all strive to be models for future generations.

That is why I was puzzled to learn that the Academy of Motion Pictures Arts and Sciences has nominated Roman Polanski for an Oscar as best director. Mr. Speaker, he fled the United States a quarter of a century ago to escape sentencing after having pled guilty to the rape of a 13-year-old girl. In fact, if he returns to the United States to receive his Oscar, he will be apprehended by the LAPD.

The Academy, however, is in good company with their nomination. The French have also nominated Mr. Polanski and are recognizing him by bestowing their Cesar Award for his work.

Mr. Speaker, there is something fundamentally wrong with the value system present in Hollywood today when the Academy would honor a pedophile who fled the country rather than face sentencing. It is times like these when it becomes brutally apparent just how out of touch Hollywood is with mainstream American values.

HELPING WOMEN COMBAT HEART DISEASE

(Mrs. CAPITO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPITO. Mr. Speaker, as many of us know, February has been designated American Heart Month. Too many Americans are suffering from heart disease, especially women. It is a little known fact that heart disease is a leading cause of deaths among women, with over 370,000 deaths every year. In fact, heart disease kills more women than all forms of cancer combined.

Sadly, 1 in 25 women will die from breast cancer but 1 in 2 will die from heart disease. In my home State of West Virginia, heart disease statistics are staggering. Thirty-one percent of all deaths were from heart disease in the year 2000.

This month the United States Department of Health and Human Services and the National Institutes of Health, and the National Heart, Lung, and Blood Institute have made it their mission to educate women about heart disease, because regardless of their age, it is never too late to combat heart disease.

A woman's risk of heart disease starts to rise gradually between the age of 40 to 60, but heart disease develops gradually and can start at a very young age. Older women need to take action to prevent and control the risk factors for heart disease. Regardless of our ages, it is never too late for women to combat heart disease. We should be spreading that message today and every day.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HUMAN CLONING BAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. RENZI) is recognized for 5 minutes.

Mr. RENZI. Mr. Speaker, I rise today to support the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK) for reintroducing H.R. 534, the Human Cloning Prohibition Act of 2003.

The American public needs to be made aware of the political spin and propaganda that the so-called medical research community is using to deceive us. The cloned sheep, Dolly, was created by the cloning procedure called somatic cell nuclear transfer.

Some want to use this procedure for research on humans which they now call "therapeutic cloning." As the debate has intensified, what was called human cloning is now referred to as "nuclear transplantation." I ask my fellow Americans not to be deceived by their words which are designed to be politically correct.

Those who want to perform therapeutic cloning claim that the future holds cures to many of the diseases that ail our human society. This argument plays to the hearts and minds of

compassionate Americans. It hits all the political hot buttons and it makes it seem as though human cloning is a great discovery in our day and age that will cure cancer, diabetes, Parkinson's disease and even keep our country safe from the terrorists by identifying the origins of germ and biological weapons.

However, creating cloned human embryos raises the real possibility that one day they will be implanted into a woman's uterus to create a human cloned baby. Over 95 percent of all animal clonings attempted end in failure; and, like Dolly the sheep, cloned animals have genetic abnormalities.

Most scientists agree that human cloning poses a serious risk of producing babies that are stillborn, unhealthy, and have severe malformations.

Let us not forget the ethical problems associated with human cloning. Cloning is entirely unsafe to practice on human beings because it poses serious risks to the developing cloned baby and to pregnant women due to genetic abnormalities. The attempts to perfect human cloning despite the high risk of injury would constitute a violation of the fundamental principles of all medical research to do no harm.

Research cloning will not only make reproductive cloning more likely, it is unethical. Regardless of what you think about the moral status of human embryos, human beings should not be created solely for research. Human cloning for research involves the creation of a human cloned embryo to be bought, sold and stripped, and exploited for its many parts.

□ 1745

Such proponents have crossed the ethical line universally adopted even by supporters of embryo stem cell research.

As always, in simplicity we find the truth. Human cloning, whether for research or reproduction, involves the creation of a new human life. We have reached a point in our Nation's history where arrogant scientists and medical researchers have become so emboldened with the race to become the first to genetically manipulate human life that they have set aside all standards of human decency, morality, and ethics. They rush to usher in a new era in which genetic alteration of human life is common place; and, therefore, they become the creators of human life. They become the idols of their peers.

I urge my colleagues to not allow such a gross violation of human dignity.

CONFIRMATION OF MIGUEL ESTRADA

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, as of today there has not been a vote on the nomi-

nation of Miguel Estrada to the U.S. Court of Appeals for the District of Columbia. Article II, section 2 of the U.S. Constitution states that the President has the power to appoint judges with the advice and consent of the Senate, advice and consent. Those two little words represent the difference between an organized process of judicial nomination and sheer chaos.

President Bush first nominated Miguel Estrada on May 9, 2001, 18 months ago. For 18 long months, we have waited for the confirmation of Mr. Estrada. Time is running out. For the sake of the integrity of the nomination process, for the sake of decency and simple fairness, the process must move forward.

The American people sent us to Washington to get a job done, not to waste time. It is time to vote on Miguel Estrada. The American people do not want obstructionism.

The SPEAKER pro tempore (Mr. PORTER). Under a previous order of the House, the gentleman from Florida (Mr. MEEK) is recognized for 5 minutes.

(Mr. MEEK of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONSERVATIVES AGAINST A WAR WITH IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, most people do not realize how many conservatives are against going to war in Iraq.

A strong majority of nationally syndicated conservative columnists have come out against this war. Just three of the many, many examples I could give include the following:

Charlie Reese, a staunch conservative, who was elected a couple of years ago as the favorite columnist of C-SPAN viewers, wrote that a U.S. attack on Iraq "is a prescription for the decline and fall of the American empire."

Paul Craig Roberts, who was one of the highest-ranking Treasury Department officials under President Reagan and now a nationally syndicated conservative columnist, wrote: "An invasion of Iraq is likely the most thoughtless action in modern history."

James Webb, a hero of Vietnam and President Reagan's Secretary of the Navy, wrote: "The issue before us is not whether the United States should end the regime of Saddam Hussein, but whether we as a Nation are prepared to occupy territory in the Middle East for the next 30 to 50 years."

It is a traditional conservative position, Mr. Speaker, to be against huge deficit spending.

The Congressional Budget Office estimated that a very short war, followed by a 5-year occupation of Iraq, would

cost the U.S. \$272 billion, this on top of an estimated \$350 billion deficit for the coming fiscal year.

It is a traditional conservative position to be against the U.S. being the policeman of the world. That is exactly what we will be doing if we go to war in Iraq.

It is a traditional conservative position to be against world government, because conservatives believe that government is less wasteful and arrogant when it is small and closer to the people.

It is a traditional conservative position to be critical of, skeptical about, or even opposed to the very wasteful, corrupt United Nations; yet the primary justification for this war, what we hear over and over again, is that Iraq has violated 16 U.N. resolutions. Well, other nations have violated U.N. resolutions; yet we have not threatened war against them.

It is a traditional conservative position to believe it is unfair to U.S. taxpayers and our military to put almost the entire burden of enforcing U.N. resolutions on the U.S.; yet that is exactly what will happen in a war against Iraq. In fact, it is already happening, because even if Hussein backs down now, it will have cost us billions of dollars in war preparations and moving so many of our troops, planes, ships and equipment to the Middle East.

It is a traditional conservative position to be against huge foreign aid, which has been almost a complete failure for many years now. Talk about huge foreign aid, Turkey, according to reports, is demanding 26 to \$32 billion; Israel wants 12 to \$15 billion; Egypt, Jordan, Saudi Arabia want additional aid in unspecified amounts.

Almost every country that is supporting the U.S. in this war wants something in return. The cost of all these requests have not been added in to most of the war costs calculations. All this to fight a bad man who has a total military budget of about \$1.4 billion, less than three-tenths of 1 percent of ours.

The White House said Hussein has less than 40 percent of the weaponry and manpower that he had at the time of the first Gulf War. One analyst estimated only about 20 percent.

His troops surrendered then to camera crews or even in one case to an empty tank. Hussein has been weakened further by years of bombing and economic sanctions and embargoes. He is an evil man, but he is no threat to us; and if this war comes about, it will probably be one of the shortest and certainly one of the most lopsided wars in history.

Our own CIA put out a report just a few days before our war resolution vote saying that Hussein was so weak economically and militarily he was really not capable of attacking anyone unless forced into it. He really controls very little outside the city of Baghdad.

The Washington Post 2 days ago had a column which said, "The war in Iraq,

likely in the next few weeks, is not expected to last long, given the overwhelming U.S. fire power to be arrayed against the Iraqis. But the trickier job may be in the aftermath."

Fortune Magazine said, "Iraq, we win. What then? A military victory could turn into a strategic defeat . . . a prolonged, expensive, American-led occupation . . . could turn U.S. troops into sitting ducks for Islamic terrorists . . . All of that could have immediate and negative consequences for the global economy."

Not only have most conservative columnists come out strongly against this war, but also at least four conservative magazines and two conservative think tanks.

One conservative Republican member of the other body said last week that the "rush to war in Iraq could backfire" and asked, "We are wrecking coalitions, relationships and alliances so we can get a 2-week start on going to war alone?"

The Atlantic Monthly magazine said we would spend so much money in Iraq we might as well make it the 51st State. I believe most conservatives would rather that money be spent here.

It is a traditional conservative position to be in favor of a strong national defense, not one that turns our soldiers into international social workers, and to believe in a noninterventionist foreign policy, rather than in globalism or internationalism. We should be friends with all nations, but we will weaken our own Nation, maybe irreversibly, unless we follow the more humble foreign policy the President advocated in his campaign.

Finally, Mr. Speaker, it is very much against every conservative tradition to support preemptive war. Another member of the other body, the Senator from West Virginia, not a conservative but certainly one with great knowledge of and respect for history and tradition, said recently, "This is no simple attempt to defang a villain. No. This upcoming battle, if it materializes, represents a turning point in U.S. foreign policy and possibly a turning point in the recent history of the world."

Mr. Speaker, I would insert at this point my full statement in the RECORD.

Mr. Speaker, most people do not realize how many conservatives are against going to war in Iraq.

A strong majority of nationally-syndicated conservative columnists have come out against this war. Just three of many examples I could give include the following:

Charley Reese, a staunch conservative, who was selected a couple of years ago as the favorite columnist of C-Span viewers, wrote that a U.S. attack on Iraq: "is a prescription for the decline and fall of the American empire. Overextension—urged on by a bunch of rabid intellectuals who wouldn't know one end of a gun from another—has doomed many an empire. Just let the United States try to occupy the Middle East, which will be the practical result of a war against Iraq, and Americans will be bleed dry by the costs in both blood and treasure."

Paul Craig Roberts, who was one of the highest-ranking Treasury Department officials under President Reagan and now a nationally-syndicated conservative columnist, wrote: "an invasion of Iraq is likely the most thoughtless action in modern history."

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that Hussein was so weak economically and militarily he was really not capable of attacking anyone unless forced into it. He really controls very little outside the city of Baghdad.

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Fortune Magazine said: "Iraq—We win. What then?" "A military victory could turn into a strategic defeat. . . . A prolonged, expensive, American-led occupation . . . could turn U.S. troops into sitting ducks for Islamic terrorists. . . . All of that could have immediate and negative consequences for the global economy."

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It is a traditional conservative position to be in favor of a strong national defense, not one that turns our soldiers into international social workers, and to believe in a noninterventionist foreign policy rather than in globalism or internationalism.

We should be friends with all nations, but we will weaken our own nation, maybe irreversibly unless we follow the more humble foreign policy the President advocated in his campaign.

Finally, Mr. Speaker, it is very much against every conservative tradition to support preemptive war.

Another member of the other Body, the Senator from West Virginia, Senator BYRD, not a conservative but certainly one with great knowledge of and respect for history and tradition said recently:

"This is no simple attempt to defang a villain. No. This coming battle, if it materializes, represents a turning point in U.S. foreign policy and possibly a turning point in the recent history of the world. This nation is about to embark upon the first test of the revolutionary doctrine applied in an extraordinary way at an unfortunate time. The doctrine of preemption—the idea that the United States or any other nation can legitimately attack a nation that is not imminently threatening but may be threatening in the future—is a radical new twist on the traditional idea of self-defense."

The columnist William Raspberry, again not a conservative but one who sometimes takes conservative positions, wrote this week these words: "Why so fast. Because Hussein will stall the same way he's been stalling for a dozen years. A dozen years, by the way, during which he has attacked no one, gassed no one, launched terror attacks on no one. Tell me its because of American pressure that he has stayed his hand, and I say great. Isn't that

better than a U.S.-launched war guaranteed to engender massive slaughter and spread terrorism?"

Throughout these remarks, I have said not one word critical of the President or any of his advisors or anyone on the other side of this issue.

I especially have not and will not criticize the fine men and women in our Nation's armed forces. They are simply following orders and attempting to serve this country in an honorable way.

Conservatives are generally not the types who participate in street demonstrations, especially ones led by people who say mean-spirited things about our President. But I do sincerely believe the true conservative position, the traditional conservative position is against this war.

FOUR KEYS TO CONTEXTUALIZE THE BUSH BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. BAIRD) is recognized for 5 minutes.

Mr. BAIRD. Mr. Speaker, it is time for this body and for our President to level with the people of the United States of America. Just a couple of years ago when people ran for office, we were all talking about the Social Security and Medicare lockbox. We need to be honest with the American people and say that that lockbox has been opened up. It has been turned upside down and every penny's been shaken out of it.

When we hear talk these days about the budget deficits, those deficits are masked and artificially lowered because we are unfortunately, once again, borrowing from Social Security and Medicare.

My colleagues will hear various talks about what the deficit is. Often times they will hear that the unified deficit is, let us say, for example, \$304 billion for next year or \$307 billion for the following year. The only way we arrive at those figures, which are admittedly very substantial, is by borrowing from Social Security and Medicare.

Were it not for that borrowing, what would the real deficits be? The real deficits for next year or for this year would be \$468 billion. For next year, they would be \$482 billion; and that is without budgeting for the cost of occupation of Iraq, nor is it for budgeting for the cost of fixing the alternative minimum tax, which this body should do.

We need to be honest. We cannot run for office 1 year and say we are going to establish a lockbox and the next year pretend that we have not opened it as we have.

Our friends on the other side are going to try to say that it is not so much deficits that matter. These, by the way, are the folks who have previously talked about a balanced budget amendment in which I think we need to balance the budget. They will say it is not deficits. It is deficits as a percentage of GDP.

The trouble with that is our own Treasury Secretary Mr. John Snow in 1995 said, and here is the quote, that a credible sustained reduction in Federal deficits will bring about major economic benefits. He was right, and he suggested that if the government spends less and borrows less from investors to cover the climbing deficits, more capital will be available for investment in the private sector of the economy. Inflationary pressure would ease and interest rates would respond by declining as much as 2 percentage points.

Today, Mr. Snow and many of his colleagues are saying it is a matter of deficits as a percentage of GDP; but when he said this in 1995, the budget deficits at that time were about where they are now as a percentage of GDP. In other words, deficits mattered in 1995. Deficits matter in the year 2003, and deficits are going to matter in the year 2013 when our kids have to pay off the debt we are creating today, and those kids are going to have to pay the debt tax.

We have heard a lot about the debt tax. The death tax is the tax on estates that are passed on to people, and it affects about two percent of the population. The debt tax, D-E-B-T, debt tax affects every member of this population from the day they are born. It is over \$4,000 a year for an average family of four and it is rising.

We need to return to fiscal responsibility. That was a concept once embraced by conservatives. I still believe it is a conservative concept. Unfortunately, it is not a concept that is shared by many erstwhile conservatives.

So what is the take-home message? The take-home message is if we are going to put Social Security and Medicare in a lockbox, we should do so and we should be honest with the American people.

Let us look again at what the deficit really is. The projection for 2004 is \$482 billion.

One final note. People will say we could solve the problem of deficits if only the Democrats or the Congress would hold down spending. There is some truth to that, but the combined nondefense discretionary spending projection for 2004 is \$429 billion. The deficit is \$482 billion. If the nondefense discretionary spending is only \$429 billion, this means we could eliminate every nondefense discretionary program, and that includes Head Start, environmental protection, agriculture, transportation, many veterans benefits, the National Institutes of Health, not hold the line on inflation, eliminate these programs and countless others entirely, eliminate law enforcement from the Federal Government to support, et cetera.

We would still then have a deficit. This deficit is not caused solely by any means by spending. It is caused to a significant degree by the exorbitant tax cuts that have been passed and the

increasing tax cuts that are proposed; and if we are going to pass those, we need to at least level with the American people and tell them what the true costs are today and the true costs are in the future.

FOUR KEYS TO CONTEXTUALIZE THE BUSH BUDGET

The "On-Budget" Deficit projections for the next five years are listed below along with the corresponding figures for the Projected Non-defense Discretionary Outlays.

	2003	2004	2005	2006	2007
On-budget deficit	-468	-482	-407	-412	-406
Non-defense discretionary spending	416	429	440	447	455
Net if all non-defense outlays were eliminated	-52	-53	+33	+35	+49

Numbers in \$billions, not including any projections for costs of Iraq war and occupation or adjustments to fix the AMT.
Source: Table S-2, page 312 OMB Budget.

KEY POINTS

1. Democrats should only refer to "On-Budget Deficits" and not let Republicans mask the true deficit by borrowing from Social Security and Medicare. The President, most Republicans in Congress, and many members of our own caucus were elected based on the "lockbox" pledge. If those pledges were honored, the deficits, as shown above, are far higher than the Administration or Republican Members of Congress acknowledge.

2. When Republicans say we could achieve balance if only Democrats would limit spending, they are lying. As the chart shows, even if all non-defense spending were completely eliminated, not simply reduced slightly, we would still face on budget deficits. Furthermore, the on-budget deficits in the chart above are based on Republican revenue and spending proposals. If the Republicans truly wanted to reduce deficits, they could make the cuts or increase revenues, but they have refused to do so and instead prefer to borrow from Social Security and Medicare to mask their policies.

3. The Republican dodge of expressing deficits as a percentage of GDP is clearly a ruse because the newly appointed Secretary of the Treasury, John Snow, vigorously called for deficit reductions in 1995, a time when deficits as a percentage of GDP were almost identical to levels projected for 2003. Republicans may counter this argument by saying the projections at that time showed a widening deficit problem over the projected 5 years and the Administration's current deficit projections are shrinking. However, the Administration's present budget forecast includes no cost for a war in Iraq, no AMT fix and rosy growth forecasts. These costs will certainly add significantly to the growing deficit over the next 5 years.

4. The consequence of such borrowing to pay for the Republican tax cuts for the wealthy is an increase in the "Debt Tax". Simply put, the "Debt Tax" is the average amount every American must pay each year simply to service the interest on the national Debt. The difference between the "Death Tax" which the Republicans want to repeal, and the "Debt Tax" which they are covertly increasing, is that the former only affects the wealthiest two percent of our citizens when they die. By comparison, the "Debt Tax" confronts every single American from the moment they are born and for the rest of their lives until we pay down the debt.

SUPPORT IMPACT AID

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

Mr. KIRK. Mr. Speaker, I rise today to express my support for the Impact Aid program. Earlier today, along with 30 bipartisan cosponsors, we introduced my Government Reservation Accelerated Development for Education, or GRADE-A, bill from the 107th Congress.

This bill was intended to fulfill an obligation of the Federal Government made in 1950 when Congress passed, and President Truman signed into law, the Impact Aid program.

□ 1800

Impact aid was created by Congress recognizing the obligation of the Federal Government to assist school districts and communities that experience a loss in their local property tax due to the presence of the Federal Government. Between 1950 and 1969, the impact aid program was fully funded by the Congress. But since that time, the funding level has not kept pace with the amount required to cover the Federal Government's obligation.

As we prepare for war and deploy troops overseas, I can think of no better time to support our military personnel and their families. This support should begin with ensuring our soldiers that their children are receiving a quality education. There are 15 million school children in this Nation who are eligible for impact aid. Enrolled in one of 1,331 eligible school districts, these schoolchildren depend on their schools to provide them with an education, and their parents depend on the schools to act as a community of support when they are deployed in our Nation's defense.

In my congressional district, 36 percent of all students attending North Chicago's School District 187 are impact aid military children. School District 187 spends an average of \$6,500 per pupil on education. And herein lies the problem. The North Chicago School District receives only \$3,250 per pupil from the Federal Government for their military impact aid children. With over 1,400 impact aid students, District 187 finds itself over \$4.5 million short in funding levels. This shortfall creates a huge financial strain on the school district overall, decreasing the quality of education for every child in that school district.

Mr. Speaker, the quickest way to take a soldier or sailor's mind off their mission is to have them worrying about their children's education back home. Kids from military families come from some of the hardest working, most patriotic families, but the schools they attend sometimes face bankruptcy because they lack the tax revenues from the military housing where the kids come from. We need to fund our Nation's schools. Impact aid honors our commitment to military

families and families of Native American Indians. It guarantees those families who serve to protect our freedom that they are in turn protected by the Federal Government.

Our Constitution commands that the first job of the Federal Government is to "provide for the common defense." As we improve the pay and benefits of our men and women in uniform, we must also support their kids and the local schools they attend. This may take many years to accomplish, but the time is now, especially now, to support schools that educate the children whose parents wear our Nation's uniform. Let us recognize our duty to America's children and to our military and support the GRADE-A bill.

BLUE DOG COALITION ON THE
FEDERAL DEBT

The SPEAKER pro tempore (Mr. PORTER). Under a previous order of the House, the gentleman from Texas (Mr. STENHOLM) is recognized for 5 minutes.

Mr. STENHOLM. Mr. Speaker, this week the Blue Dog Coalition expressed our deep concern over the announcement that the Federal Government had reached the debt limit just 9 months after increasing it by \$450 billion.

The Federal Government hitting the debt limit so soon after raising it by so much merely validates our concern of the fiscal policies we are now following. Due to the debt limit being reached, the Department of the Treasury announced it will dip into Federal retirement programs to circumvent the debt limit, an action for which House Republicans severely criticized Secretary of Treasury Bob Rubin for taking in 1996. Less than 6 years ago, 225 of my Republican friends voted to soundly reprimand and prohibit then-Secretary Rubin from taking precisely the actions announced this week by Secretary Snow. The silence of the Republicans in Congress about the announcement made by the Bush administration stands in stark contrast to the reaction from many of my same Republican colleagues to Secretary Rubin's action.

A 1995 resolution, authored by a then anti-deficit Republican majority, insisted that a balanced budget would ensure lower interest rates, a faster rate of economic growth, increased national wealth, increased rates of savings and investment, faster growth in the capital stock, higher productivity, and improved trade balances. I agreed with my Republican colleagues 6 years. I wish they agreed with me today.

Now, we can disagree about what has put us in the deficit hole today, but we should be able to agree that digging the hole deeper is ill-advised. Yet the President's budget proposes policies that would increase the deficit by more than \$2 trillion over the next 8 years. According to the White House Office of Management and Budget, the tax cut signed by the President and new proposals in his budget are responsible for 45 percent of the \$7.9 trillion deteriora-

tion in our budget outlook. Now, that is 45 percent. Fifty-five percent is the recession and the war and other things that are occurring today. Not the upcoming war.

The suggestion that we will be able to grow our way out of the deficit was contradicted in testimony by Federal Reserve Chairman Alan Greenspan earlier this month. Even under the most optimistic, dynamic estimates of the President's tax cut, large deficits will continue as far the eye can see. And the projections of the economic benefits of tax cuts ignore the economic harm caused by government borrowing to finance deficits, higher interest rates, and lower investments in American businesses.

Now, contrary to some suggestions, my concern about the budget deficit has always applied to spending, increased spending, as well as unfunded tax cuts. Even before many of my House Republican colleagues, I volunteered to help hold the line on spending at the level last year requested by the President. I hope the President, Mr. President, that you will send to Congress a list of pork-barrel items that you believe should be eliminated from the funding bill endorsed by the House leadership and recently signed into law. If you do, I will support those spending cuts. But the reality is that under the President's budget the deficit hole will be dug deeper.

Now, the rhetoric from my Republican friends about controlling spending just does not hold up to factual examination. In the 8 years since Republicans took control of the Congress, discretionary spending has increased by an average of 6.5 percent per year, compared to the previous 8 years of 1.6 percent. Those are the facts, not the rhetoric we hear on this floor every time someone stands up and questions the economic direction that we are going.

Now, some days, some of us ignore the most wasteful spending in the Federal budget, the \$332 billion collected from taxpayers simply to cover our national interest payments. This debt tax consumed a whopping 18 percent of all Federal tax dollars last year. Under the budget, the economic game plan that I hear we are going to have on the floor in 2 or 3 weeks, the debt tax will increase 50 percent in the next 5 years. A 50 percent increase in taxes, the debt tax, is what is being advocated.

Now, I do not understand the logic of that. I agreed with the President, and I do agree with the President, and I believe him to be sincere when he says this Congress should not pass on to our children and future generations our debt. That is what we are doing under the proposal that is before us today.

To my friends on this side of the aisle, there are many on this side of the aisle that are ready to reach out and accept the hand and are beginning to work and to recognize that we need a change in direction. Yes, we need to restrain spending. And, yes, we need to

restrain our desire to give tax cuts to the current generation, just as we anticipate sending our youngest and finest over to fight a war. It is not fair to them. It is not fair to our children and grandchildren.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to address their remarks to the Chair and not to the President.

SUPPORT TRUTH IN DOMAIN NAMES ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, tonight I rise more as a father than as a Member of Congress. I am, proudly, the father of three small children, all under the age of 11. And today when I introduced the Truth in Domain Names Act, I did it very much with Michael and Charlotte and Audrey in mind.

This legislation, which we first conceived of in the 107th Congress, would punish those who use misleading domain names to attract children to sexually explicit Internet sites. There would be fines of up to a quarter of a million dollars, and even imprisonment of up to 2 years.

As a member of the Subcommittee on Courts, the Internet, and Intellectual Property of the Committee on the Judiciary, I know well, Mr. Speaker, that the Internet can be a force for good, but it can also be a force for evil. At its best, the Web is used to disseminate information and provide educational materials to children. Teachers and parents often encourage children to turn to the Internet for research, school projects, and homework, just as I did with my 8-year-old daughter this last Tuesday night, sitting with her on my knee, doing her homework and searching the Web.

The reality is that there is also the worst of the Internet, equally accessible to our children. The Internet can actually be used to deceive children into viewing inappropriate material. According to a survey conducted in the year 2000 by the Crimes Against Children Research Center, they found that 71 percent of teenagers had accidentally come across inappropriate sexual material on the Internet. An FBI spokesman told the Subcommittee on Crime, Terrorism and Homeland Security of the Committee on the Judiciary in 1999 that pedophiles often lure children into viewing pornography to "encourage their victims to engage in sex."

Even in my own experience this Tuesday night, Mr. Speaker, I found that even though we were entering words in a search engine to help my second grade daughter do her homework, nevertheless the sites we were

accessing, I had to cover her little eyes and see first what popped up because of the type of prurient materials that would come with the most innocuous word search.

So I ask my colleagues to join me today in this very simple proposal to provide criminal penalties to those who would name Web sites in a way to deceive children into being exposed to prurient material. The Truth in Domain Names Act is all about protecting the innocent from those who would prey upon them.

The Good Book tells us it would be better to have a millstone tied around their neck and have them thrown into the sea that would mislead and lead astray these little ones. Not a lot of millstones around this city, Mr. Speaker, but we can tie the seriousness of the law to those who would prey upon our children with prurient intent by this session of Congress adopting the Truth in Domain Names Act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. TURNER) is recognized for 5 minutes.

(Mr. TURNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXPRESSION OF GRATITUDE TOWARDS FRANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, tonight I wish to express my profound gratitude toward President Jacques Chirac and toward the French Parliament for their enduring alliance with our country and with NATO. I would also like to offer my respect to French Foreign Minister Dominique de Villepin. The civilized world cannot know yet the best method for stemming the growing terrorism that is engendered by the revolutionary fervor found in the Middle East and Central Asia, but I am certain of one thing: We will not succeed without our historic and valuable allies in Europe. They are priceless. War must be the last resort, only after tough and thorough inspections performed by U.N. agents have been exhausted.

I would like to speak of relations between the Governments of France and the United States and between the citizens of our countries. Our friendship is important and historic and dates from the days when General Marquis de Lafayette helped us win our own revolution for independence. Our very capital city, the city of Washington, was designed by a Frenchman, Pierre L'Enfant, and was modeled after Paris. The words of the French Revolution, "liberty, equality, fraternity," remain true today, and in our Congress they are truly carved for all time.

Just this week, I opened a medal for our Uncle Stanley Rogowski, who had

fought in Normandy. Three Bronze stars. Bloodied for 3 years across the northern plains of France. As I visited the cemeteries there, I thought about the close alliance between the American people and the people of France and the struggle for freedom over tyranny in the 20th century.

U.S. President and U.S. Ambassador to France Thomas Jefferson wrote, "I do not believe war the most certain means of enforcing principles. Those peaceable coercions which are in the power of every nation, if undertaken in concert and in time of peace, are more likely to produce the desired effect." He wrote that in 1801. He loved France. He traveled there, he learned much, and he helped weave that into the fabric of American life in our earliest years.

□ 1815

As Archbishop Desmond Tutu of South Africa urged from a continent torn by terrorism in Sudan, in the Ivory Coast, in Egypt, in Nigeria, "Peace. Peace. Peace. Shouldn't America listen to the rest of the world?" he said. "Give the inspectors time."

Note what is happening throughout the world. The largest antiwar turnouts in U.S. history. In London, 750,000 citizens marched against the war, that city's largest demonstration ever. In Rome, 1 million people. In Spain, millions marched in Madrid and Barcelona. In Berlin, half a million. People marching in nations whose homelands have been ripped apart by past wars and who are victims of terrorism as well. Surely they know the price of suffering.

Imagine the message these demonstrations are sending across the caves of terrorism. America is being isolated in world opinion. This is neither wise nor politically sustainable for our Nation to go it alone. The war on terrorism can only be won with a broad and committed international coalition starting with America's most historic allies.

In this new struggle of righteousness, moral force is more important than bombs. The war on terrorism is actually a political insurgency halfway around the world, first against the corrupt regimes in the world of Islam, much like a civil war. Lacking any experience with democracy, desperate and politically motivated masses grasp Islam as a metaphor for political change and reform. The United States should not become the beleaguered referee caught between warring factions who also happen to sit atop the world's largest oil wells on which we have become dependent. Rather, America must unhook ourselves from that oil addiction; and as important, America must work with a broad international coalition to support the forces of popular reform and rising hopes for a better and more just way of life.

In some of the most undemocratic places in the world, in places like Pakistan and Afghanistan, two-thirds of the

population is younger than 20, uneducated and often hungry. A major international commitment to feeding hungry children while educating them would serve the world much more durably in the years ahead.

In embracing the future, America must hold to its deepest ideals in this sea of political discontent and ally with rising aspirations of the dispossessed and forgotten. America should not, as happened in Iran, be caught on the wrong side of an unsustainable dictatorship or propping up weak regimes. Only broad and committed international coalitions can triumph in this struggle. Of three facts we are certain: we need our friends; America cannot win this battle alone; and only with justice will peace come.

THE DEBT LIMIT

The SPEAKER pro tempore (Mr. PORTER). Under a previous order of the House, the gentleman from Texas (Mr. SANDLIN) is recognized for 5 minutes.

Mr. SANDLIN. Mr. Speaker, there is a phrase that famously set atop President Truman's desk stating, "The buck stops here." Mr. Speaker, looking at the administration's fiscal year 2004 budget, nothing could be further from the truth.

President Truman's phrase implies that real leaders have to make tough choices. Real leaders do not assure the American people that our country can afford a war of indeterminate length and massive new tax cuts simultaneously. In fact, the budget is nothing more than smoke and mirrors. Did you know that in spite of an imminent war, not one single dime, not one penny, not anything is budgeted for the looming war? That means the entire budget is nothing but a farce.

Though our country's anticipated effort to disarm Saddam Hussein and his weapons of mass destruction is necessary, and certainly we support our military 100 percent in their efforts, any future action in Iraq which is likely to come will by necessity increase our Federal spending and expand our deficit and the national debt for years and years and years to come. In addition to war with Iraq, which appears nowhere in the budget, the White House is pushing full steam ahead with its \$388 billion plan to exempt dividend income from individual taxation. That may be good long-term planning and certainly no one supports taxing anything twice; that is poor policy. But the question is, can we afford it right now today at this time in the face of record deficits? The only realistic outcome of the revenue losses and increased government spending included in the President's budget is massive increases in the national debt. In the interest of bipartisanship, to quote another popular former Republican President, Mr. Reagan, "There you go again."

Just 8 months ago, the House passed an increase in the statutory debt limit

by a single vote. Now, here we go again, having to raise the debt limit for the second time in 12 months. Last June, Congress had to raise the debt limit by \$450 billion, to \$6.4 trillion. Amazingly, this increase in the debt limit was \$300 billion less than Treasury requested. Our debt is currently over \$6 trillion and we are spending over \$1 billion a day in interest. In fact, 180 of every \$1,000 that east Texans send in to the government goes to interest payments alone. That is outrageous. It is unacceptable.

Treasury and the majority party in the House will not even specify, will not tell us what their desired increase in the debt limit is. It is feasible it will be over \$7 trillion. At what point? When will the majority realize its fiscal irresponsibility in burying this Nation under a mountain of debt? John Adams said, "Facts are stubborn things."

What are the facts? Just 2 years ago, we had a projected budget surplus of \$5.6 trillion. Those predictions of surpluses are long gone, and they have been replaced with projections of deficits and higher debt levels for as far as the eye can see. In fact, our financial condition changed to the worst, \$8 trillion in 24 months. Equally amazing is the fact that as a direct result of the President's fiscal year 2004 budget, total spending in interest alone to finance the debt will increase from \$332 billion in 2002 to nearly \$500 billion in 2008. Further, the higher debt levels embedded in the President's budget will result in \$1.1 trillion more in spending on interest payments on the debt than the government projected just last year. That is simply a waste of money.

It seems all fiscal discipline has blown out the window with this budget and any hope for our children and grandchildren to live in fiscally prosperous times. Instead, we are saddling future generations with accumulating debt payments. Just how much will a family have in net cash savings if this administration's tax cut and budget is passed? If the President's current tax cuts and spending plans are enacted, the average American family of four will pay approximately \$6,500 a year in higher interest payments, far outstripping any negligible tax savings. In addition to the higher long-term interest rates Americans will face as a result of government borrowing in the capital markets, national priorities like health care, Social Security, and homeland security needs will be underfunded as the Federal Government pays more and more and more money to finance our national debt. An exponentially rising debt has consequences and is financed by sacrificing our seniors and our children, sacrificing Social Security, sacrificing Medicare, and sacrificing education.

Congress needs to hold increases in the debt limit to no more than \$100 billion at a time until Congress and the White House have worked together to

balance the unified budget by the end of the decade and to include PAYGO rules and discretionary spending caps.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. BOSWELL) is recognized for 5 minutes.

(Mr. BOSWELL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PUBLICATION OF THE RULES OF THE COMMITTEE ON AGRICULTURE 108TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. GOODLATTE) is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, I am pleased to submit for printing in the CONGRESSIONAL RECORD, pursuant to Rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Agriculture, which were adopted at the organizational meeting of the Committee on February 12, 2003, and modified on this date, February 26, 2003.

Appendix A of the Committee Rules will include excerpts from the Rules of the House relevant to the operation of the Committee. Appendix B will include relevant excerpts from the Congressional Budget Act of 1974. In the interests of minimizing printing costs, Appendices A and B are omitted from this submission.

RULES OF THE COMMITTEE ON AGRICULTURE—108TH CONGRESS

RULE I.—GENERAL PROVISIONS

(a) *Applicability of House Rules.*—(1) The Rules of the House shall govern the procedure of the Committee and its subcommittees, and the rules of the Committee on Agriculture so far as applicable shall be interpreted in accordance with the Rules of the House, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its subcommittees. (See Appendix A for the applicable Rules of the U.S. House of Representatives.)

(2) As provided in clause 1(a)(2) of House Rule XI, each subcommittee is part of the Committee and is subject to the authority and direction of the Committee and its rules so far as applicable. (See also Committee rules III, IV, V, VI, VII and X, *infra*.)

(b) *Authority to Conduct Investigations.*—The Committee and its subcommittees, after consultation with the Chairman of the Committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under Rule X of the Rules of the House and in accordance with clause 2(m) of House Rule XI.

(c) *Authority to Print.*—The Committee is authorized by the Rules of the House to have printed and bound testimony and other data presented at hearings held by the Committee

and its subcommittees. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee and its subcommittees shall be paid from applicable accounts of the House described in clause 1(i)(1) of House Rule X in accordance with clause 1(c) of House Rule XI. (See also paragraphs (d), (e) and (f) of Committee rule VIII.)

(d) *Vice Chairman*.—The Member of the majority party on the Committee or subcommittee designated by the Chairman of the full Committee shall be the vice chairman of the Committee or subcommittee in accordance with clause 2(d) of House Rule XI.

(e) *Presiding Member*.—If the Chairman of the Committee or subcommittee is not present at any Committee or subcommittee meeting or hearing, the vice chairman shall preside. If the Chairman and vice chairman of the Committee or subcommittee are not present at a Committee or subcommittee meeting or hearing the ranking Member of the majority party who is present shall preside in accordance with clause 2(d), House Rule XI.

(f) *Activities Report*.—(1) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the Committee under Rules X and XI of the Rules of the House during the Congress ending on January 3 of such year. (See also Committee rule VIII (h)(2).)

(2) Such report shall include separate sections summarizing the legislative and oversight activities of the Committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the Committee pursuant to clause 2(d) of House Rule X, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken with respect thereto.

(g) *Publication of Rules*.—The Committee's rules shall be published in the Congressional Record not later than thirty days after the Committee is elected in each odd-numbered year as provided in clause 2(a) of House Rule XI.

(h) *Joint Committee Reports of Investigation or Study*.—A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

RULE II.—COMMITTEE BUSINESS MEETINGS— REGULAR, ADDITIONAL AND SPECIAL

(a) *Regular Meetings*.—(1) Regular meetings of the Committee, in accordance with clause 2(b) of House Rule XI, shall be held on the first Wednesday of every month to transact its business unless such day is a holiday, or Congress is in recess or is adjourned, in which case the Chairman shall determine the regular meeting day of the Committee, if any, for that month. The Chairman shall provide each member of the Committee, as far in advance of the day of the regular meeting as practicable, a written agenda of such meeting. Items may be placed on the agenda by the Chairman or a majority of the Committee. If the Chairman believes that there will not be any bill, resolution or other matter considered before the full Committee and there is no other business to be transacted at a regular meeting, the meeting may be cancelled or it may be deferred until such time as, in the judgment of the Chairman, there may be matters which require the Committee's consideration. This paragraph

shall not apply to meetings of any subcommittee. (See paragraph (f) of Committee rule X for provisions that apply to meetings of subcommittees.)

(b) *Additional Meetings*.—The Chairman may call and convene, as he or she considers necessary, after consultation with the Ranking Minority Member of the Committee, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such additional meetings pursuant to a notice from the Chairman.

(c) *Special Meetings*.—If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for such special meeting. Such request shall specify the measure or matters to be considered. Immediately upon the filing of the request, the Majority Staff Director (serving as the clerk of the Committee for such purpose) shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measures or matter to be considered at that special meeting in accordance with clause 2(c)(2) of House Rule XI. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the Majority Staff Director (serving as the clerk) of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered, and only the measure or matter specified in that notice may be considered at that special meeting.

RULE III.—OPEN MEETINGS AND HEARINGS; BROADCASTING

(a) *Open Meetings and Hearings*.—Each meeting for the transaction of business, including the markup of legislation, and each hearing by the Committee or a subcommittee shall be open to the public unless closed in accordance with clause 2(g) of House Rule XI. (See Appendix A.)

(b) *Broadcasting and Photography*.—Whenever a Committee or subcommittee meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI (See Appendix A). When such radio coverage is conducted in the Committee or subcommittee, written notice to that effect shall be placed on the desk of each Member. The Chairman of the Committee or subcommittee, shall not limit the number of television or still cameras permitted in a hearing or meeting room to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(c) *Closed Meetings—Attendees*.—No person other than Members of the Committee or subcommittee and such congressional staff and departmental representatives as the Committee or subcommittee may authorize shall be present at any business or markup session that has been closed to the public as provided in clause 2(g)(1) of House Rule XI.

(d) *Addressing the Committee*.—A Committee member may address the Committee or a subcommittee on any bill, motion, or other

matter under consideration (See Committee rule VII (e) relating to questioning a witness at a hearing). The time a member may address the Committee or subcommittee for any such purpose shall be limited to five minutes, except that this time limit may be waived by unanimous consent. A member shall also be limited in his or her remarks to the subject matter under consideration, unless the Member receives unanimous consent to extend his or her remarks beyond such subject.

(e) *Meetings to Begin Promptly*.—Subject to the presence of a quorum, each meeting or hearing of the Committee and its subcommittees shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(f) *Prohibition on Proxy Voting*.—No vote by any Member of the Committee or subcommittee with respect to any measure or matter may be cast by proxy.

(g) *Location of Persons at Meetings*.—No person other than the Committee or subcommittee Members and Committee or subcommittee staff may be seated in the rostrum area during a meeting of the Committee or subcommittee unless by unanimous consent of Committee or subcommittee.

(h) *Consideration of Amendments and Motions*.—A Member, upon request, shall be recognized by the Chairman to address the Committee or subcommittee at a meeting for a period limited to five minutes on behalf of an amendment or motion offered by the Member or another Member, or upon any other matter under consideration, unless the Member receives unanimous consent to extend the time limit. Every amendment or motion made in Committee or subcommittee shall, upon the demand of any Member present, be reduced to writing, and a copy thereof shall be made available to all Members present. Such amendment or motion shall not be pending before the Committee or subcommittee or voted on until the requirements of this paragraph have been met.

(i) *Demanding Record Vote*.—

(1) A record vote of the Committee or subcommittee on a question or action shall be ordered on a demand by one-fifth of the Members present.

(2) The Chairman of the Committee or Subcommittee may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. If the Chairman postpones further proceedings:

(A) the Chairman may resume such postponed proceedings, after giving Members adequate notice, at a time chosen in consultation with the Ranking Minority Member; and

(B) notwithstanding any intervening order for the previous question, the underlying proposition on which proceedings were postponed shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(j) *Submission of Motions or Amendments In Advance of Business Meetings*.—The Committee and subcommittee-Chairman may request and Committee and subcommittee Members should, insofar as practicable, cooperate in providing copies of proposed amendments or motions to the Chairman and the Ranking Minority Member of the Committee or the subcommittee twenty-four hours before a Committee or subcommittee business meeting.

(k) *Points of Order*.—No point of order against the hearing or meeting procedures of the Committee or subcommittee shall be entertained unless it is made in a timely fashion.

(l) *Limitation on Committee Sitzings*.—The Committee or subcommittees may not sit

during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(m) **Prohibition of Wireless Telephones.**—Use of wireless phones during a committee or subcommittee hearing or meeting is prohibited.

RULE IV.—QUORUMS

(a) **Working Quorum.**—One-third of the members of the Committee or a subcommittee shall constitute a quorum for taking any action, other than as noted in paragraphs (b) and (c).

(b) **Majority Quorum.**—A majority of the members of the Committee or subcommittee shall constitute a quorum for:

(1) the reporting of a bill, resolution or other measure (See clause 2(h)(1) of House Rules XI, and Committee rule VIII);

(2) the closing of a meeting or hearing to the public pursuant to clauses 2(g) and 2(k)(5) of the Rule XI of the Rules of the House; and

(3) the authorizing of a subpoena as provided in clause 2(m)(3), of House Rule XI. (See also Committee rule VI.)

(c) **Quorum for Taking Testimony.**—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

RULE V.—RECORDS

(a) **Maintenance of Records.**—The Committee shall keep a complete record of all Committee and subcommittee action which shall include—

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical and typographical corrections authorized by the person making the remarks involved, and

(2) written minutes shall include a record of all Committee and subcommittee action and a record of all votes on any question and a tally on all record votes.

The result of each such record vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee and by telephone request. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting.

(b) **Access to and Correction of Records.**—Any public witness, or person authorized by such witness, during Committee office hours in the Committee offices and within two weeks of the close of hearings, may obtain a transcript copy of that public witness's testimony and make such technical, grammatical and typographical corrections as authorized by the person making the remarks involved as will not alter the nature of testimony given. There shall be prompt return of such corrected copy of the transcript to the Committee. Members of the Committee or subcommittee shall receive copies of transcripts for their prompt review and correction and prompt return to the Committee. The Committee or subcommittee may order the printing of a hearing record without the corrections of any Member or witness if it determines that such Member or witness has been afforded a reasonable time in which to make such corrections and further delay would seriously impede the consideration of the legislative action that is subject of the hearing. The record of a hearing shall be closed ten calendar days after the last oral testimony, unless the Committee or subcommittee determines otherwise. Any person requesting to file a statement for the record of a hear-

ing must so request before the hearing concludes and must file the statement before the record is closed unless the Committee or subcommittee determines otherwise. The Committee or subcommittee may reject any statement in light of its length or its tendency to defame, degrade, or incriminate any person.

(c) **Property of the House.**—All Committee and subcommittee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Members serving as Chairman and such records shall be the property of the House and all Members of the House shall have access thereto. The Majority Staff Director shall promptly notify the Chairman and the Ranking Minority Member of any request for access to such records.

(d) **Availability of Archived Records.**—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with House Rule VII. The Chairman shall notify the Ranking Minority Member of the Committee of the need for a Committee order pursuant to clause 3(b)(3) or clause 4(b) of such House Rule, to withhold a record otherwise available.

(e) **Special Rules for Certain Records and Proceedings.**—A stenographic record of a business meeting of the Committee or subcommittee may be kept and thereafter may be published if the Chairman of the Committee, after consultation with the Ranking Minority Member, determines there is need for such a record. The proceedings of the Committee or subcommittee in a closed meeting, evidence or testimony in such meeting, shall not be divulged unless otherwise determined by a majority of the Committee or subcommittee.

(f) **Electronic Availability of Committee Publications.**—To the maximum extent feasible, the Committee shall make its publications available in electronic form.

RULE VI.—POWER TO SIT AND ACT; SUBPOENA POWER

(a) **Authority to Sit and Act.**—For the purpose of carrying out any of its function and duties under House Rules X and XI, the Committee and each of its subcommittees is authorized (subject to paragraph (b)(1) of this rule)—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings, and (2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents, as it deems necessary. The Chairman of the Committee or subcommittee, or any member designated by the Chairman, may administer oaths to any witness.

(b) **Issuance of Subpoenas.**—(1) A subpoena may be authorized and issued by the Committee or subcommittee under paragraph (a)(2) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, as provided in clause 2(m)(3)(A) of House Rule XI. Such authorized subpoenas shall be signed by the Chairman of the Committee or by any member designated by the Committee. As soon as practicable after a subpoena is issued under this rule, the Chairman shall notify all members of the Committee of such action.

(2) Notice of a meeting to consider a motion to authorize and issue a subpoena should be given to all Members of the Committee by 5 p.m. of the day preceding such meeting.

(3) Compliance with any subpoena issued by the Committee or subcommittee under

paragraph (a)(2) may be enforced only as authorized or directed by the House.

(4) A subpoena duces tecum may specify terms of return other than at a meeting or hearing of the committee or subcommittee authorizing the subpoena.

(c) **Expenses of Subpoenaed Witnesses.**—Each witness who has been subpoenaed, upon the completion of his or her testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for travel allowances and attendance fees to which he or she is entitled. If hearings are held in cities other than Washington D.C., the subpoenaed witness may contact the Majority Staff Director of the Committee, or his or her representative, before leaving the hearing room.

RULE VII.—HEARING PROCEDURES

(a) **Power to Hear.**—For the purpose of carrying out any of its functions and duties under House Rule X and XI, the Committee and its subcommittees are authorized to sit and hold hearings at any time or place within the United States whether the House is in session, has recessed, or has adjourned. (See paragraph (a) of Committee rule VI and paragraph (f) of Committee rule X for provisions relating to subcommittee hearings and meetings.)

(b) **Announcement.**—The Chairman of the Committee shall after consultation with the Ranking Minority Member of the Committee, make a public announcement of the date, place and subject matter of any Committee hearing at least one week before the commencement of the hearing. The Chairman of a subcommittee shall schedule a hearing only after consultation with the Chairman of the Committee and after consultation with the Ranking Minority Member of the subcommittee, and the Chairmen of the other subcommittees after such consultation with the Committee Chairman, and shall request the Majority Staff Director to make a public announcement of the date, place, and subject matter of such hearing at least one week before the hearing. If the Chairman of the Committee or the subcommittee, with concurrence of the Ranking Minority Member of the Committee or subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman of the Committee or subcommittee, as appropriate, shall request the Majority Staff Director to make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record, and shall promptly enter the appropriate information into the Committee scheduling service of the House Information Systems as soon as possible after such public announcement is made.

(c) **Scheduling of Witnesses.**—Except as otherwise provided in this rule, the scheduling of witnesses and determination of the time allowed for the presentation of testimony at hearings shall be at the discretion of the Chairman of the Committee or subcommittee, unless a majority of the Committee or subcommittee determines otherwise.

(d) **Written Statement; Oral Testimony.**—(1) Each witness who is to appear before the Committee or a subcommittee, shall insofar as practicable file with the Majority Staff Director of the Committee, at least two working days before day of his or her appearance, a written statement of proposed testimony. Witnesses shall provide sufficient copies of their statement for distribution to Committee or subcommittee Members, staff, and the news media. Insofar as practicable,

the Committee or subcommittee staff shall distribute such written statements to all Members of the Committee or subcommittee as soon as they are received as well as any official reports from departments and agencies on such subject matter. All witnesses may be limited in their oral presentations to brief summaries of their statements within the time allotted to them, at the discretion of the Chairman of the Committee or subcommittee, in light of the nature of the testimony and the length of time available.

(2) As noted in paragraph (a) of Committee rule VI, the Chairman of the Committee or one of its subcommittees, or any Member designated by the Chairman, may administer an oath to any witness.

(3) To the greatest extent practicable, each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(e) *Questioning of Witnesses.*—Committee or subcommittee Members may question witnesses only when they have been recognized by the Chairman of the Committee or subcommittee for that purpose. Each Member so recognized shall be limited to questioning a witness for five minutes until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness for five minutes; and thereafter the Chairman of the Committee or subcommittee may limit the time of a further round of questioning after giving due consideration to the importance of the subject matter and the length of time available. All questions put to witnesses shall be germane to the measure or matter under consideration. Unless a majority of the Committee or subcommittee determines otherwise, no committee or subcommittee staff shall interrogate witnesses.

(f) *Extended Questioning for Designated Members.*—Notwithstanding paragraph (e), the Chairman and Ranking Minority member may designate an equal number of Members from each party to question a witness for a period not longer than 60 minutes.

(g) *Witnesses for the Minority.*—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon as provided in clause 2(j)(1) of House Rule XI.

(h) *Summary of Subject Matter.*—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman of the Committee or subcommittee shall, to the extent practicable, make available to the members of the Committee any official reports from departments and agencies on such matter. (See Committee rule X(f).)

(i) *Open Hearings.*—Each hearing conducted by the Committee or subcommittee shall be open to the public, including radio, television and still photography coverage, except as provided in clause 4 of House Rule XI (see also Committee rule III (b.)). In any event, no Member of the House may be excluded

from nonparticipatory attendance at any hearing unless the House by majority vote shall authorize the Committee or subcommittee, for purposes of a particular series of hearings on a particular bill or resolution or on a particular subject of investigation, to close its hearings to Members by means of the above procedure.

(j) *Hearings and Reports.*—(1)(i) The Chairman of the Committee or subcommittee at a hearing shall announce in an opening statement the subject of the investigation. A copy of the Committee rules (and the applicable provisions of clause 2 of House Rule XI, regarding hearing procedures, an excerpt of which appears in Appendix A thereto) shall be made available to each witness upon request. Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman of the Committee or subcommittee may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; but only the full Committee may cite the offender to the House for contempt.

(ii) Whenever it is asserted by a member of the committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (j) of this rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person. The Committee or subcommittee shall afford a person an opportunity voluntarily to appear as a witness; and the Committee or subcommittee shall receive and shall dispose of requests from such person to subpoena additional witnesses.

(iii) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee or subcommittee. In the discretion of the Committee or subcommittee, witnesses may submit brief and pertinent statements in writing for inclusion in the record. The Committee or subcommittee is the sole judge of the pertinency of testimony and evidence adduced at its hearings. A witness may obtain a transcript copy of his or her testimony given at a public session or, if given at an executive session, when authorized by the Committee or subcommittee. (See paragraph (c) of Committee rule V.)

(2) A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day) in advance of their consideration.

RULE VIII.—THE REPORTING OF BILLS AND RESOLUTIONS

(a) *Filing of Reports.*—The Chairman shall report or cause to be reported promptly to the House any bill, resolution, or other measure approved by the Committee and shall take or cause to be taken all necessary steps to bring such bill, resolution, or other measure to a vote. No bill, resolution, or measure shall be reported from the Committee unless a majority of Committee is actually present. A Committee report on any bill, resolution, or other measure approved by the Committee shall be filed within seven

calendar days (not counting days on which the House is not in session) after the day on which there has been filed with the Majority Staff Director of the Committee a written request, signed by a majority of the Committee, for the reporting of that bill or resolution. The Majority Staff Director of the Committee shall notify the Chairman immediately when such a request is filed.

(b) *Content of Reports.*—Each Committee report on any bill or resolution approved by the Committee shall include as separately identified sections:

(1) a statement of the intent or purpose of the bill or resolution;

(2) a statement describing the need for such bill or resolution;

(3) a statement of Committee and subcommittee consideration of the measure including a summary of amendments and motions offered and the actions taken thereon;

(4) the results of each record vote on any amendment in the Committee and subcommittee and on the motion to report the measure or matter, including the names of those Members and the total voting for and the names of those Members and the total voting against such amendment or motion (See clause 3(b) of House Rule XIII);

(5) the oversight findings and recommendations of the Committee with respect to the subject matter of the bill or resolution as required pursuant to clause 3(c)(1) of House Rule XIII and clause 2(b)(1) of House Rule X;

(6) the detailed statement described in section 308(a) of the Congressional Budget Act of 1974 if the bill or resolution provides new budget authority (other than continuing appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures, except that the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law;

(7) the estimate of costs and comparison of such estimates, if any, prepared by the Director of the Congressional Budget Office in connection with such bill or resolution pursuant to section 402 of the Congressional Budget Act of 1974 if submitted in timely fashion to the Committee;

(8) a statement of general performance goals and objectives, including outcome-related goals and objectives, for which the measure authorizes funding;

(9) a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution;

(10) an estimate by the committee of the costs that would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and for its authorized duration or for each of the five fiscal years following the fiscal year of reporting, whichever period is less (see Rule XIII, clause 3(d)(2), (3) and (h)(2), (3)), together with—(i) a comparison of these estimates with those made and submitted to the Committee by any Government agency when practicable, and (ii) a comparison of the total estimated funding level for the relevant program (or programs) with appropriate levels under current law (The provisions of this clause do not apply if a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report);

(11) the changes in existing law (if any) shown in accordance with clause 3 of House Rule XIII;

(12) the determination required pursuant to section 5(b) of Public Law 92-463, if the

legislation reported establishes or authorizes the establishment of an advisory committee; and

(13) the information on Federal and inter-governmental mandates required by section 423(c) and (d) of the Congressional Budget Act of 1974, as added by the Unfunded Mandates Reform Act of 1995 (P.L. 104-4).

(14) a statement regarding the applicability of section 102(b)(3) of the Congressional Accountability Act, Public Law 104-1.

(c) *Supplemental, Minority, or Additional Views.*—If, at the time of approval of any measure or matter by the Committee, any Member of the Committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than two subsequent calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such date) in which to file such views, in writing and signed by that Member, with the Majority Staff Director of the Committee. When time guaranteed by this paragraph has expired (or if sooner, when all separate views have been received), the Committee may arrange to file its report with the Clerk of the House not later than one hour after the expiration of such time. All such views (in accordance with House Rule XI, clause 2(l) and House Rule XIII, clause 3(a)(1)), as filed by one or more Members of the Committee, shall be included within and made a part of the report filed by the Committee with respect to that bill or resolution.

(d) *Printing of Reports.*—The report of the Committee on the measure or matter noted in paragraph (a) above shall be printed in a single volume, which shall:

(1) include all supplemental, minority or additional views that have been submitted by the time of the filing of the report; and

(2) bear on its cover a recital that any such supplemental, minority, or additional views (and any material submitted under House Rule XII, clause 3(a)(1)) are included as part of the report.

(e) *Immediate Printing; Supplemental Reports.*—Nothing in this rule shall preclude (1) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by paragraph (c), or (2) the filing by the Committee of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(f) *Availability of Printed Hearing Records.*—If hearings have been held on any reported bill or resolution, the Committee shall make every reasonable effort to have the record of such hearings printed and available for distribution to the Members of the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(g) *Committee Prints.*—All Committee or subcommittee prints or other Committee or subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the Chairman of the Committee or the Committee prior to public distribution.

(h) *Post Adjournment Filing of Committee Reports.*—(1) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the Committee may be filed with the Clerk at any time, provided that if a member gives notice at the time of approval of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than seven calendar days in which to

submit such views for inclusion with the report.

(2) After an adjournment of the last regular session of a Congress sine die, the Chairman of the Committee may file at any time with the Clerk the Committee's activity report for that Congress pursuant to clause 1(d)(1) of Rule XI of the Rules of the House without the approval of the Committee, provided that a copy of the report has been available to each member of the Committee for at least seven calendar days and the report includes any supplemental, minority, or additional views submitted by a member of the Committee.

RULE IX.—OTHER COMMITTEE ACTIVITIES

(a) *Oversight Plan.*—Not later than February 15 of the first session of a Congress, the Chairman shall convene the Committee in a meeting that is open to the public and with a quorum present to adopt its oversight plans for that Congress. Such plans shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration. In developing such plans the Committee shall, to the maximum extent feasible—

(1) consult with other committees of the House that have jurisdiction over the same or related laws, programs, or agencies within its jurisdiction, with the objective of ensuring that such laws, programs, or agencies are reviewed in the same Congress and that there is a maximum of coordination between such committees in the conduct of such reviews; and such plans shall include an explanation of what steps have been and will be taken to ensure such coordination and cooperation;

(2) review specific problems with federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals; and

(3) give priority consideration to including in its plans the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority; and

(4) have a view toward ensuring that all significant laws, programs, or agencies within its jurisdiction are subject to review at least once every ten years.

The Committee and its appropriate subcommittees shall review and study, on a continuing basis, the impact or probable impact of tax policies affecting subjects within its jurisdiction as provided in clause 2(d) of House Rule X. The Committee shall include in the report filed pursuant to clause 1(d) of House Rule XI a summary of the oversight plans submitted by the Committee under clause 2(d) of House Rule X, a summary of actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee and any recommendations made or actions taken thereon.

(b) *Annual Appropriations.*—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) *Budget Act Compliance: Views and Estimates* (See Appendix B).—Not later than six

weeks after the President submits his budget under section 1105(a) of title 31, United States Code, or at such time as the Committee on the Budget may request, the Committee shall, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year (under section 301 of the Congressional Budget Act of 1974—see Appendix B) that are within its jurisdiction or functions; and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(d) *Budget Act Compliance: Recommended Changes.*—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974 (See Appendix B).

(e) *Conference Committees.*—Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman shall, after consultation with the Ranking Minority Member, determine the number of conferees the Chairman deems most suitable and then recommend to the Speaker as conferees, in keeping with the number to be appointed by the Speaker as provided in House Rule I, clause 11, the names of those Members of the Committee of not less than a majority who generally supported the House position and who were primarily responsible for the legislation. The Chairman shall, to the fullest extent feasible, include those Members of the Committee who were the principal proponents of the major provisions of the bill as it passed the House and such other Committee Members of the majority party as the Chairman may designate in consultation with the Members of the majority party. Such recommendations shall provide a ratio of majority party Members to minority party Members no less favorable to the majority party than the ratio of majority party Members to minority party Members on the Committee. In making recommendations of Minority Party Members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

RULE X.—SUBCOMMITTEES

(a) *Number and Composition.*—There shall be such subcommittees as specified in paragraph (c) of this rule. Each of such subcommittees shall be composed of the number of members set forth in paragraph (c) of this rule, including ex officio members. The Chairman may create additional subcommittees of an ad hoc nature as the Chairman determines to be appropriate subject to any limitations provided for in the House Rules.

(b) *Ratios.*—On each subcommittee, there shall be a ratio of majority party members to minority party members which shall be consistent with the ratio on the full Committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees and ratios below reflect that fact.

(c) *Jurisdiction.*—Each subcommittee shall have the following general jurisdiction and number of members:

Department Operations, Oversight, Nutrition and Forestry (21 Members, 11 majority and 10 minority).—Agency oversight; review and analysis; special investigations; food stamps, nutrition and consumer programs;

forestry in general, forest reserves other than those created from the public domain; energy and biobased energy production; and dairy.

Livestock and Horticulture (23 Members, 12 majority and 11 minority).—Livestock; poultry; meat; seafood and seafood products; inspection, marketing, and promotion of such commodities; aquaculture; animal welfare; grazing; fruits and vegetables; marketing and promotion orders.

General Farm Commodities and Risk Management (31 Members, 16 majority, 15 minority).—Program and markets related to cotton, cottonseed, wheat, feed grains, soybeans, oilseeds, rice, dry beans, peas, lentils; Commodity Credit Corporation; crop insurance; and commodity exchanges.

Specialty Crops and Foreign Agriculture Programs (17 Members, 9 majority and 8 minority).—Peanuts; sugar; tobacco; honey and bees; marketing orders relating to such commodities; foreign agricultural assistance and trade promotion programs, generally.

Conservation, Credit, Rural Development and Research (21 Members, 11 majority and 10 minority).—Soil, water, and resource conservation; small watershed program; agricultural credit; rural development; rural electrification; farm security and family farming matters; agricultural research, education and extension services; plant pesticides, quarantine, adulteration of seeds, and insect pests; and biotechnology.

(d) Referral of Legislation.—

(1)(a) *In General*.—All bills, resolutions, and other matters referred to the Committee shall be referred to all subcommittees of appropriate jurisdiction within 2 weeks after being referred to the Committee. After consultation with the Ranking Minority Member, the Chairman may determine that the Committee will consider certain bills, resolutions, or other matters.

(b) Trade Matters.—Unless action is otherwise taken under subparagraph (3), bills, resolutions, and other matters referred to the Committee relating to foreign agriculture, foreign food or commodity assistance, and foreign trade and marketing issues will be considered by the Committee.

(2) The Chairman, by a majority vote of the Committee, may discharge a subcommittee from further consideration of any bill, resolution, or other matter referred to the subcommittee and have such bill, resolution or other matter considered by the Committee. The Committee having referred a bill, resolution, or other matter to a subcommittee in accordance with this rule may discharge such subcommittee from further consideration thereof at any time by a vote of the majority members of the Committee for the Committee's direct consideration or for reference to another subcommittee.

(3) Unless the Committee, a quorum being present, decides otherwise by a majority vote, the Chairman may refer bills, resolutions, legislation or other matters not specifically within the jurisdiction of a subcommittee, or that is within the jurisdiction of more than one subcommittee, jointly or exclusively as the Chairman deems appropriate, including concurrently to the subcommittees with jurisdiction, sequentially to the subcommittees with jurisdiction (subject to any time limits deemed appropriate), divided by subject matter among the subcommittees with jurisdiction, or to an ad hoc subcommittee appointed by the Chairman for the purpose of considering the matter and reporting to the Committee thereon, or make such other provisions deemed appropriate.

(e) *Participation and Service of Committee Members on Subcommittees*.—(1) The Chairman and the Ranking Minority Member shall serve as ex officio members of all sub-

committees and shall have the right to vote on all matters before the subcommittees. The Chairman and the Ranking Minority Member may not be counted for the purpose of establishing a quorum.

(2) Any member of the Committee who is not a member of the subcommittee may have the privilege of sitting and nonparticipatory attendance at subcommittee hearings or meetings in accordance with clause 2(g)(2) of House Rule XI. Such member may not:

(i) vote on any matter;

(ii) be counted for the purpose of establishing a quorum;

(iii) participate in questioning a witness under the five minute rule, unless permitted to do so by the subcommittee Chairman in consultation with the Ranking Minority Member or a majority of the subcommittee, a quorum being present;

(iv) raise points of order; or

(v) offer amendments or motions.

(f) *Subcommittee Hearings and Meetings*.—(1) Each subcommittee is authorized to meet, hold hearings, receive evidence, and make recommendations to the Committee on all matters referred to it or under its jurisdiction after consultation by the subcommittee Chairmen with the Committee Chairman. (See Committee rule VII.)

(2) After consultation with the Committee Chairman, subcommittee Chairmen shall set dates for hearings and meetings of their subcommittees and shall request the Majority Staff Director to make any announcement relating thereto. (See Committee rule VII(b).) In setting the dates, the Committee Chairman and subcommittee Chairman shall consult with other subcommittee Chairmen and relevant Committee and Subcommittee Ranking Minority Members in an effort to avoid simultaneously scheduling Committee and subcommittee meetings or hearings to the extent practicable.

(3) Notice of all subcommittee meetings shall be provided to the Chairman and the Ranking Minority Member of the Committee by the Majority Staff Director.

(4) Subcommittees may hold meetings or hearings outside of the House if the Chairman of the Committee and other subcommittee Chairmen and the Ranking Minority Member of the subcommittee is consulted in advance to ensure that there is no scheduling problem. However, the majority of the Committee may authorize such meeting or hearing.

(5) The provisions regarding notice and the agenda of Committee meetings under Committee rule II(a) and special or additional meetings under Committee rule II(b) shall apply to subcommittee meetings.

(6) If a vacancy occurs in a subcommittee chairmanship, the Chairman may set the dates for hearings and meetings of the subcommittee during the period of vacancy. The Chairman may also appoint an acting subcommittee Chairman until the vacancy is filled.

(g) *Subcommittee Action*.—(1) Any bill, resolution, recommendation, or other matter forwarded to the Committee by a subcommittee shall be promptly forwarded by the subcommittee Chairman or any subcommittee member authorized to do so by the subcommittee. (2) Upon receipt of such recommendation, the Majority Staff Director of the Committee shall promptly advise all members of the Committee of the subcommittee action.

(3) The Committee shall not consider any matters recommended by subcommittees until two calendar days have elapsed from the date of action, unless the Chairman or a majority of the Committee determines otherwise.

(h) *Subcommittee Investigations*.—No investigation shall be initiated by a sub-

committee without the prior consultation with the Chairman of the Committee or a majority of the Committee.

RULE XI.—COMMITTEE BUDGET, STAFF, AND TRAVEL

(a) *Committee Budget*.—The Chairman, in consultation with the majority members of the Committee, and the minority members of the Committee, shall prepare a preliminary budget for each session of the Congress. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee and subcommittees. After consultation with the Ranking Minority Member, the Chairman shall include an amount budgeted to minority members for staff under their direction and supervision. Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget, and shall take whatever action is necessary to have such budget duly authorized by the House.

(b) *Committee Staff*.—(1) The Chairman shall appoint and determine the remuneration of, and may remove, the professional and clerical employees of the Committee not assigned to the minority. The professional and clerical staff of the Committee not assigned to the minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate. (See House Rule X, clause 9)

(2) The Ranking Minority member of the Committee shall appoint and determine the remuneration of, and may remove, the professional and clerical staff assigned to the minority within the budget approved for such purposes. The professional and clerical staff assigned to the minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate such authority as he or she determines appropriate.

(3) From the funds made available for the appointment of Committee staff pursuant to any primary or additional expense resolution, the Chairman shall ensure that each subcommittee is adequately funded and staffed to discharged its responsibilities and that the minority party is fairly treated in the appointment of such staff (See House Rule X, clause 6(d)).

(c) *Committee Travel*.—(1) Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee members and Committee staff regarding domestic and foreign travel (See House rule XI, clause 2(n) and House Rule X, clause 8 (reprinted in Appendix A)). Official travel for any member or any Committee staff member shall be paid only upon the prior authorization of the Chairman. Official travel may be authorized by the Chairman for any Committee Member and any Committee staff member in connection with the attendance of hearings conducted by the Committee and its subcommittees and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(i) The purpose of the official travel;

(ii) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;

(iii) The location of the event for which the official travel is to be made; and

(iv) The names of members and Committee staff seeking authorization.

(2) In the case of official travel of members and staff of a subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such subcommittee to be paid for out of funds allocated to the Committee, prior authorization must be obtained from the subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the applicable subcommittee Chairman in writing setting forth those items enumerated in clause (1).

(3) Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

(4) Local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or its employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to their use of such currencies:

(i) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law; and

(ii) Each Member or employee of the Committee shall make an itemized report to the Chairman within 60 days following the completion of travel showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose, and shall summarize in these categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the Chairman with the Committee on House Administration and shall be open to public inspection.

RULE XII.—AMENDMENT OF RULES

These rules may be amended by a majority vote of the Committee. A proposed change in these rules shall not be considered by the Committee as provided in clause 2 of House Rule XI, unless written notice of the proposed change has been provided to each Committee member two legislative days in advance of the date on which the matter is to be considered. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after its approval.

THE FEDERAL BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from North Carolina (Mr. PRICE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PRICE of North Carolina. Mr. Speaker, I and a number of colleagues wish to address this body and the American people this evening on our country's fiscal situation and the decisions facing Congress as we propose a budget for the 2004 fiscal year. We speak with some urgency, and I think colleagues will sense that, because our situation has worsened drastically, and

we are convinced that the President's 2004 budget would move our country dramatically in the wrong direction. In the minutes to follow, we will elaborate on our concerns and explain on the alternative course that we should be taking.

Mr. Speaker, just 3 years ago, the Federal budget achieved its first surplus that did not rely on either the Social Security trust fund surplus or the Medicare surplus in many, many years. In fact, in the last years of the Clinton administration, we actually paid down \$400 billion of the publicly held debt. This first chart tells the story: the deepening deficits in the 1980s, the climb out of deficit spending that occurred after the historic 1993 budget vote, and then, in the last years of the Clinton administration, a surplus, almost unheard of in this postwar period. This surplus enabled us to pay down a portion of the publicly held debt and to look forward to being able to meet the obligations of Social Security and Medicare as the baby boomers retire.

This situation, unfortunately, has now drastically reversed. As this chart indicates, we have in this second Bush administration a plunge into deficit spending that breaks the record set in the first Bush administration and promises red ink as far as the eye can see. After just 2 years in office, the Bush administration would spend the entire Medicare surplus, the entire Social Security surplus, and would pile up trillions in the debt we once set out to retire. Never in our country's history have we had a fiscal reversal of this magnitude. The next charts will make that especially clear.

We had, at the start of this administration, a projected \$5.6 trillion surplus over the next 10 years. That surplus now is not only gone—and you see here the successive projections as our fiscal situation worsened. Now we are looking at no surplus and, in fact, at a \$2.1 trillion deficit for that same 10-year period. That is a fiscal reversal of almost \$8 trillion, unprecedented in our country's history. The deficit for 2003 is projected to be over \$300 billion and for 2004 around \$307 billion. The next chart shows those same figures with the Social Security and Medicare surpluses removed. Of course, that makes the situation even more alarming, because when you remove the cushion of the Social Security and Medicare surpluses which the Bush budgets would spend in their entirety over the next 10 years, the hole is even deeper. Where we were formerly looking at a \$3 trillion on-budget surplus over the next 10 years, we are now looking at a \$4.4 trillion deficit.

This chart indicates what happens to trust fund revenues. The red bars are the Social Security surplus. The yellow bars are the Medicare surplus. The olive bars are the deficit beyond these surpluses. The Bush budget plans to spend those surpluses entirely and to borrow considerably beyond that. All this is going to add to the national

debt. We are going to add some \$2 trillion to the national debt in the next 5 years.

Some Members will recall that at the end of the Clinton administration, we were talking about actually retiring the publicly held debt by 2008. There was even some debate about whether we could fully pay it down. Well, you can forget about that debate, because now we have a \$5 trillion publicly held debt predicted for 2008. As many speakers have already said this evening, that will not only be a huge burden on future generations but it will also sap our annual budgets, because we are going to have to pay an additional \$1.5 trillion in money down the rat hole in interest on that publicly held debt.

□ 1830

This will amount to a debt tax, d-e-b-t tax of more than \$200 billion a year for the foreseeable future. That comes to about \$4,500 per year for the average family, and it is rising. This chart indicates how that debt tax, the accumulated debt taxes, will grow by \$1.5 trillion by virtue of these projected Federal deficits and the piling up of debt.

Unfortunately, in the face of the worst fiscal reversal in the Nation's history, what is the response of the Bush administration? The response is actually to propose more of the same failed policies. The budget proposes \$1.5 trillion in new tax cuts, every penny of which is funded by increased government debt, and when we add the interest costs, those new tax proposals, on top of the old ones, come to almost \$2 trillion. These tax cuts mainly benefit the wealthiest taxpayers in this country. They will not only increase the deficit, but they will restrict the money available for education, for the environment, and for transportation, health care, and law enforcement.

In fact, Mr. Speaker, this Bush budget gives us the worst of both worlds. It take us over the cliff fiscally, but then it actually underfunds critical domestic priorities.

We know, for example, that our States are flat on their back fiscally. Our next speaker will elaborate on that.

The No Child Left Behind Act passed with great bipartisan enthusiasm. But it is not funded in the President's budget proposal, leaving the states to their own devices. Homeland Security has been underfunded in the 2003 budget. The President promised \$3.5 billion in additional funding for first responders, but then taking the money away from conventional law enforcement grants, leaving the states with less than a billion dollars in new money.

The most obvious way to help the States from the federal level would be to increase the cost sharing percentage temporarily on Medicaid. But just this week the President reiterated that he has no intention of doing that. So the States can forget it when it comes to any relief from their fiscal distress. We may be faced with a situation of cutting taxes here at the Federal level and

having like amounts reimposed by the States to meet their obligations, and that of course would mean that the net stimulative effect was zero.

So, Mr. Speaker, by proposing a budget that mandates enormous deficits into the indefinite future while cutting important domestic priorities, this administration utterly fails to meet the fiscal challenges facing our Nation, and I and my colleagues participating in this special order wish to elaborate on where the Bush budget would take us.

First we will hear from a new Member of this body who has significant experience in politics and in government and is already making his mark, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I thank the gentleman from North Carolina for yielding.

Mr. Speaker, President Kennedy once said, "To govern is to choose." I think it is very interesting, in the very week that the President was telling the Governors that we had no more money for their health care, Medicaid plans, their education, college, every State is raising tuition on middle-class families who are affording college and higher ed, the Leave No Child Behind. The very week that the President of the United States said to our Governors, I am sorry, there is not another penny for them, is the very week that we upped and sweetened our bid to Turkey; so we have now given Turkey \$24 billion.

I want to meet the person that was negotiating for Turkey. They have done themselves a wonderful job. We finally got ourselves a job plan and economic growth package. The problem is it is for Turkey, not for the United States. And we have done ourselves, I think, a world of damage here. And I believe personally that we need a northern front in our fight if we are going to war in Iraq and I do not think we should spare anything to save our lives; so clearly having a northern front in this war is going to be important. But I want my colleagues to think about the fact that in the very week that we told our Governors and, most importantly, the citizens of our States that there would not be another penny for higher ed, there would not be another penny in assistance on health care, that we could not fully fund the Leave No Child Behind on the education program, is the very week that we sweetened our offer to the nation of Turkey.

To all the police departments that need money for fire, for all the cities that need assistance for police departments and fire for training on terrorism, I want them to now know Istanbul has their money. So I have come to the conclusion that maybe our States need to apply to Turkey for foreign aid. They have our money.

When it comes to making sure that all our police departments and fire departments are fully trained for dealing

with terrorism, they do not have the resources to deal with that. We do not have all the money that they need. They are not going to get all the training they need to deal with terrorism. And when we have an act here at home, which everybody knows that this war will instigate as further terrorism here in the United States, our police and fire departments do not have all the resources they need to act on that.

I want my colleagues to think about the choices here, because as I have said early on, that President Kennedy once said there are choices. The amount of money that we have now guaranteed for Turkey, \$24 billion, is twice the money we spend on Pell grants. We spend \$11 to \$12 billion a year. It is twice the money for Pell grants. The loan guarantees for Turkey, the same amount of money that we have now given Turkey, we could make two thirds of the existing tuition free at public universities.

These are choices we are making. So as we make this assistance, as we tell our Governors we do not have money for them and there is not another penny for them and yet we tell Turkey here is another \$2 billion, the same week we did that, I would like the left hand of the administration to meet the right hand of the administration, because somebody has not got a clear plan; and we are giving money away to Turkey while we are telling our own people here at home we do not have enough money for them.

How did we get there? I have a chart here that shows the last 50 years of fiscal and economic management by Presidents. It goes back to the second term under Truman, and it goes through all the Presidents and tells how they did in managing the economy. And our present President, our President, has the most anemic economic growth of any President in the last 50 years. And since we are in the mood of quoting former Presidents, Ronald Reagan once said, "Facts are a stubborn thing." And since the 2000 election, we have lost 2½ million jobs in this economy; 925,000 manufacturing jobs in the years 2001, 2002; 4 more million Americans are without health insurance; nearly a trillion dollars' worth of corporate assets have been foreclosed on, and 2 million more Americans have left the middle class for poverty.

Facts are a stubborn thing. That is the record of this present President and the economic management at this time. And what has he chosen to do and what has the administration chosen to do? Having argued for a tax cut 14 months ago to get the economy moving, the net result has been the worst anemic growth of any President in 50 years: More people unemployed, more people without health insurance, more businesses closed, and more people joining the ranks of poverty. He has decided to put his foot on the accelerator and pushed further for more tax cuts. He is the only President in history, in

a time of war, who has decided to have tax cuts. So we will ask our men and women to sacrifice, that those in the wealthiest corridors of our country will not be sacrificing and joining the rest of us as we do sacrifice.

This is the wrong way to economic management. We can have a bipartisan approach that puts our fiscal house in order, invests in our future, and defends our interests overseas. As a person and individual Member of this Chamber who does support in some capacity military action, I think the notion of the last 2 weeks in Turkey where it was let us make a deal, unfortunately Turkey has walked away with the resources that our kids need, our police departments need, and our doctors and nurses need to provide health care.

Mr. PRICE of North Carolina. Mr. Speaker, I especially appreciate the gentleman's pointing out the plight of the States and the tongue-in-cheek advice to how the States might improve their situation. Of course we had the Governors here in Washington this week, the Governors from both parties. Is there any indication they got any satisfaction at all from the President?

Mr. EMANUEL. Mr. Speaker, no. But I am thinking of recommending to the Governors Association that they hire the person who was negotiating for Turkey and maybe he could do them a good job. So there is no indication of that. In fact, what has happened is if the gentleman will read the Wall Street Journal report out of the meeting that the President had with the Governors, in fact he told them there will be no more assistance in that area. And mind you, this is not a partisan issue. It is the worst fiscal condition of all 50 States since World War II.

Mr. PRICE of North Carolina. Mr. Speaker, I ask the gentleman, is it not true that a number of the items under discussion were things that the Federal Government has mandated?

Mr. EMANUEL. Correct.

Mr. PRICE of North Carolina. Mr. Speaker, for example, the education reforms under No Child Left Behind.

Mr. EMANUEL. Right.

Mr. PRICE of North Carolina. Mr. Speaker, of course there has been a good deal of help promised in the homeland security area, particularly for upfitting and getting better equipment, better communications capacity for first responders, for fire and emergency medical and police. The Republican Governors went to the White House and apparently came away empty-handed. It seemed even they had a hard time putting a good face on this.

Mr. EMANUEL. Mr. Speaker, what we have decided is we just do not have the same sense of urgency. And let me add one other point that I lost in here is that today there was a story, I think in the Wall Street Journal again, that States have borrowed more money this year than at any time in the last 50 years for the States, greater I think in times by a magnitude of 3 in borrowing

more money, and again they are making cuts again at the same time, the most severe cuts in the areas of health care and education; and we are basically mandating they have to meet certain obligations, not giving them the assistance and resources they need to meet those obligations.

What are those obligations? They are in the area of health care where we have a health care crisis; 42 million Americans who work full time without healthcare. We do not have an agenda or plan to help them meet that obligation.

We have not had a raise in the Federal level in the Pell grant to help people go to college. In over 4 years, the tuitions on average are going up 9, 10 percent this year. So we have put not only a burden on our States and our Governors, our State legislatures, to fund requirements that we pass here, most importantly we are putting demands and further burdens on middle-class, hard-working families who are trying to raise their kids right, with the right sense of values and get on to college so that they can succeed in life, and yet we are not giving them the resources they need.

And that is why I brought up this point about both the Pell grant or public universities and the choices we make. We make choices. We have said that Turkey in that effort over there is more important. We have given Turkey now, in one year, twice the money we have given in Pell grants in this country to help middle-class and lower-middle-class children go to college. If we took the same type of resources, we could make free two thirds of public university education to kids. These are American children. We have a commitment to do right when we win this war, if we are going to go to war. I want our troops to succeed, but we have an obligation over here, and the truth is if we had a balanced deal we would not have to make a choice. These are not either/or choices.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman.

Now I am happy to recognize the gentleman from Virginia (Mr. SCOTT), a Member who has long studied Federal budgets and understands very well the dire situation that we are facing.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding. I think it is helpful just to use the charts because the charts tell the story better than anything else. I mean, we have all this rhetoric about how good the economy is, how good this is, and whether or not there is going to be a deficit. But one does not produce numbers and charts like this by accident.

If we look at when President Reagan came in, my colleagues will remember that his budget passed pretty much as he introduced it. He had enough support in Congress to get his budget passed. And we see what happened to the deficit after Johnson, Nixon, Ford, Carter, what happened to the deficit under Reagan and Bush. It was essentially their budgets that passed.

When President Clinton came in, it was his budget that passed. Very narrowly without a single Republican vote in the House or the Senate, his budget passed, and we saw the deficit declining year after year. When the Republicans took over, it was still President Clinton's budget, because he vetoed the budgets passed by Congress several times. My colleagues will remember that the Republicans shut down the government because they would not accept President Clinton's budget. They sent him a budget. He vetoed it. They closed the government down, he kept vetoing the bills. Finally, the budget kept going with continuing resolutions and otherwise, but essentially it was President Clinton in charge of the budget.

□ 1845

He had enough support in Congress to sustain his vetoes, and it was essentially his budget that created the situation where there were smaller and smaller deficits, up to the point where there was, in fact, a surplus. This is the nontrust fund, so this is the surplus after you secure Social Security and Medicare, save them for Social Security and Medicare; and we still had a surplus.

President Bush comes in, and it is his budget that is adopted; and we see what happens to the deficit this first year. September 11 is within 3 weeks of the end of the fiscal year, so most of this happened before September 11, and we see as far as the eye can see what is happening to the budget.

When we look at the President's proposal, we see that, according to his budget, we started out 2000 with the surplus; the first year, 2001, we spent all of Medicare and some of Social Security; 2002, all of Medicare, all of Social Security, and about \$160 billion more in debt. The budget year we are in now looks to be worse than that. The budget projection for as far as the President's budget goes, according to his budget, he is recommending all of these deficits.

Now, I think you have to put those numbers in some kind of context. This is the President's budget out to 2008. The on-budget deficit for this year is going to be \$468 billion. In the 2004 budget, the one he is recommending, it is going to be \$482 billion. It is offset somewhat by Social Security, so it is not quite as bad as it looks. But the on-budget, after you have taken just the on-budget part, before you offset it by spending the Social Security and Medicare, it is \$468 billion and \$482 billion.

Now, the President says if we just would not spend as much, maybe the budget would go into balance. It has already been pointed out that the entire non-Social Security/Medicare/defense part of the budget, nondefense discretionary budget, is about \$425 billion. In other words, we would have to eliminate all of education, all of transportation and roads, all of the Department

of Justice, FBI, prisons, all of NASA, all of foreign aid, all the veterans benefits, eliminate all of government outside of Social Security, Medicare and defense, and we still would not have the budget in balance. So when he says just cut a little spending, look at the numbers.

The next chart is when you run up deficits, it is not free. This bottom line is what the Federal payment on the national debt would be and what it was supposed to be when the President came in. We would have paid off almost the entire national debt by 2011 to 2015. Instead, we are running up debt. So we have to pay more in the debt tax.

Mr. PRICE of North Carolina. If the gentleman will yield, the debt tax was on the way down because the interest payments on the national debt naturally go down as the debt itself is paid off. We had begun paying the debt off. But as that chart seems to indicate, those are on the way right back up, over \$200 billion a year in money that I think all of us could think of more productive ways to spend than paying interest on the debt.

Mr. SCOTT of Virginia. We were about to pay off the entire national debt, so there would have been no interest on the national debt. Even if you do not pay off any of the debt, you still have to pay the interest. These are big numbers. Let us divide it and see what it means to a family of four.

For a family of four, dividing the population into the interest on the national debt, we have gotten it down to \$4,500. As you saw, it would have gone down to virtually zero. It was \$4,500 for a family of four, headed toward zero. But instead, it is going to be \$6,500 by 2008, and going up at a rate of about \$500 a year as far as you can see. By 2008 it will be \$6,500 just interest on the debt before you have got any government at all.

Now, as it gets worse and worse and the debt tax gets worse and worse, we are trying to prepare for the baby boomers and Social Security. This is the chart of the Social Security surplus. Social Security, we are bringing in more than we are sending out; and we have a surplus, temporarily. In 2017 it will be about even, and then it gets worse and worse, and we will have almost \$1 trillion in deficit out here in 2037.

Now, if we had banked all this money and invested it, we would be able to pay this. In fact, we could have covered all of the Social Security deficit out 75 years with one-half of the tax cut that has already been implemented. In other words, if they had cut taxes only in half and allocated the other half to the Social Security problem, we would have had a solvent Social Security system for 75 years. But instead, they spent all of the Social Security surplus.

Now, people ask, what is our plan? They have ruined the budget. What is our plan? I remind them that our plan is right here in green. When Democrats

controlled the budget, the deficit was less and less, into surplus, going towards the end of the national debt. That was our plan.

This is President Bush's plan. Now, when we were leading, this is how we led. I do not think you can escape this chart. You do not create a chart like this by accident.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for a very convincing demonstration of where we have been and where, unfortunately, it appears we are going, unless we take corrective action.

The gentleman from Maryland (Mr. VAN HOLLEN) is one of our new Members, who is already actively participating in the work of this body. We are happy to have him as part of this Special Order here tonight.

I yield to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, I thank the gentleman from North Carolina for yielding.

Mr. Speaker, this is actually the first time I have made remarks on this floor; and I deliberated, as I am sure many new Members do, over what subject I should address first, and I can think of no more important matter facing this Congress than the future economic health of our Nation and what investments we decide to make for the common good.

The actions we take here this session will affect the well-being of Americans for generations to come. We need to adopt an economic plan that will put America back to work and a budget that reflects the priorities of the American people.

The budget plan submitted by the President a few weeks ago, it is a long document filled with thousands of numbers. Like most budgets, it is not exciting reading unless you like to put on the green eye shades. But it is probably the most important document we will work with this year as Members of Congress, because just as each family has to make many tough decisions about their household budgets, so must we make the tough decisions for our entire American family. And how we decide to invest our collective resources should tell us a lot about what we care about as a people and who we are as a people. The budgets and economic plans we adopt here this session I hope will reflect the priorities of the American people.

Mr. Speaker, I have listened carefully to the people in my district, and I think that their priorities are the same as priorities of Americans around this country. They want a country where every child has the opportunity to get a great start in life with a first-rate education. They want a country where every American has access to quality health care. They want an America where every American and every individual who is ready to roll up his or her sleeves and go to work can find a job. And they want to know that their government is taking all reason-

able steps to protect our homeland and be prepared to respond to national emergencies.

These are simple things that we all want for our families. We want them for our neighbors; we want them for our fellow Americans. We are a great Nation, and we can do these things. But to do so we are going to have to work with the President to change the course that he has charted with the economic plan he has submitted and the budget that he has proposed to Congress.

Just a few weeks ago I had the privilege to attend and sit in this Chamber when the President delivered his State of the Union address. I was sitting right over there. I was very eager to hear what he had to say.

Very early in his speech, he made the following statement: "We will not deny, we will not ignore, we will not pass along our problems to other Congresses, to other Presidents, to other generations."

I must say, when I heard that statement I nearly fell out of my chair, because the budget and the economic plan proposed by the President does exactly what he says he does not want to do. It does ignore our problems; and, if we do not fix those problems, we will simply be passing the buck to future Congresses, to future Presidents, and to future generations.

Let us look at education. Last year with great fanfare the President signed the Leave No Child Behind Act. But the ink was barely dry before the administration submitted a budget that fell well short of the promised funding. When you leave the funding behind, you also leave millions of children behind, and leave them with nothing but broken promises. The President's budget for the coming fiscal year promise falls \$9 billion short of what had been authorized, and it is a terrible message to send to our school children and to our teachers.

Let us look at health care. The President has made no meaningful proposal to address the problem of the 41 million Americans who have no health insurance. Apparently, the Bush administration proposes to leave this problem to future Congresses, to future Presidents and future generations.

And how about domestic security? The President's proposed budget ignores the needs outlined by the heads of his own agencies. The U.S. Customs Service, the Coast Guard, the Department of Energy, they have all said that they need more resources to meet the threat than the President has proposed in his budget.

So what has the President proposed? What is the President's top domestic priority? We have heard tonight, another huge tax cut that overwhelmingly benefits the superwealthy. Apparently the administration has decided that the most pressing domestic problem, the one issue that cannot wait, is that the superwealthy are paying too much in taxes. And this comes on the

heels of the \$1.4 trillion tax cut in 2001 that disproportionately benefits already the very wealthy.

And don't be fooled by averages. Sure, when you combine the estimated tax break of \$325,000 that Bloomberg News says Vice President Cheney will receive, and others with very high incomes with the small tax breaks that most will receive, you get an average refund of over \$1,000. That's like saying if Bill Gates were elected to the House of Representatives, on average, all 435 members in this chamber would be multi-millionaires. It's a great statistic, but nobody is really any better off.

What is the result? What is the result of the President's tax plan? Even the administration officials have conceded it will do virtually nothing to help get the economy going right now, to help stimulate our economy, to get people back to work; and the real result, as we have seen, will be rivers of red ink and rising interest rates.

The President's plan would result in a \$304 billion deficit this year, and his plans will lead to the sharpest reversal in America's fiscal fortunes in history. We have gone from a projected \$5.6 trillion surplus over 10 years to a projected \$2.1 trillion deficit, and that does not even include the cost of war in Iraq and the aftermath.

As our colleague from Illinois stated, just this week we have promised Turkey \$24 billion, and that before the conflict has even begun. This administration has not begun to come clean on the costs of war.

So who is going to pick up this mountain of debt? In the end, it is the American people who will always be left holding the bag. And there are only two ways to deal with the debt in the long term. We all know that. Either you raise taxes on our children in the next generation, or you deeply cut expenditures. And as our colleague from Virginia just pointed out, where you have to go to cut expenditures to make up these deficits are Medicare and Social Security. There is no other way to do it.

The President is already using the funds from the Social Security trust funds to pay for his tax cuts. The lockbox we all heard so much about, well, it was picked so long ago, and the raid is on. The President's plan is a guided missile aimed at Social Security and Medicare, and it is not just the money in the trust fund that will be lost; we are also going to lose the trust of the American people.

So, Mr. Speaker, I am very concerned with the reckless economic course that the President has set. It does exactly what he said he did not want to do. It ignores our very real needs and passes on the burdens of tax cuts to Social Security, Medicare, future congresses and future generations.

I believe his plan is out of touch with the true hopes and aspirations of the American people. We have an obligation to confront these issues squarely, as we are talking about tonight. We need to talk straight to the American

people; and I hope this Congress, before we get out, will adopt an economic plan and a budget that reflects the true priorities of the American people and does not pass the buck to future generations.

□ 1900

Mr. PRICE of North Carolina. Mr. Speaker, I appreciate the recollection of the President's quote about not passing along problems to future generations. We had a little more candid quote from the director of OMB the other day, Mr. Daniels, who said, "We have returned to an era of deficits, but we ought not hyperventilate about this issue."

Well, I do not see anybody hyperventilating here tonight, but what I have heard tonight from the gentleman from Maryland is a passionate and persuasive case for confronting this budget issue and getting our fiscal house in order, getting back on the right track, so I appreciate very much his contribution to our discussion.

I am happy to yield to the gentlewoman from Santa Barbara, California (Mrs. CAPPS), a treasured colleague, for her remarks on this situation that we are facing.

Mrs. CAPPS. Mr. Speaker, I thank the gentleman from North Carolina, and it is a pleasure to be here with my colleagues. I could be no place else. We are really at a crossroads in this country, facing a budget such as we have received from the President to deal with.

I want to echo what my esteemed colleagues are talking about with respect to the budget, and I have asked that this chart be left here. It has been referred to already, but it points out clearly the huge deficits, as far as the eye can see is the way we phrase it, and this, after we finally did bring our Federal budget into line in the late 1990s.

Maybe this is a good time to mention a quote by the Fed Chairman, Alan Greenspan, last fall. "History suggests that an abandonment of fiscal discipline will eventually push up interest rates, crowd out capital spending, lower productivity growth, and force harder choices upon us in the future."

The administration has no plans to address this budget deficit and, in fact, in this latest budget is proposing to make it much worse. The reckless tax cut that we cannot afford that will not help to restart the economy and, for the most part, goes to precisely the people who do not need it, is what they are proposing.

I must be up front and admit that a couple of years ago I did vote for the tax cut, the big one. I believed then and I continue to believe now that it had some good provisions: increasing the child care tax credit, getting rid of the marriage penalty, dealing with estate taxes. At that time we were told we had a \$5.6 trillion surplus and that we could afford a tax cut. Clearly, things have changed. Everything, that is, except the administration's approach.

I believe it is so irresponsible to propose these kinds of tax cuts to a Nation at war. We are at war in Afghanistan and in other parts of the world against terrorism. We are asking all Americans to sacrifice, and yet this tax cut will fatten the wallets of a few. This is not shared sacrifice. The tax cut that the President is proposing will cripple our ability to deal with an important part of the war on terrorism: our homeland security. We are facing a possible war with Iraq for which there is no mention in the President's budget, and we have ongoing needs such as some I will address in my time today: health care needs of our senior citizens, and others. These are some real problems that we are facing of economic security in our land, of health security, environmental security.

I want to talk about just one small example, and I brought it up today with our Secretary of Health and Human Services, Tommy Thompson. Our country has a huge shortage of nurses, all kinds of nurses. They are the backbone of our health care system. They are critical to our efforts to provide everyday health care to millions of Americans, and they are on the front lines of our efforts to fight bioterrorism. They will be the ones to identify victims, to vaccinate the healthy, to assist doctors in treatment. We have 19,000 nurses in Armed Forces Reserves. We are going to face a continued crisis as they are called up.

So last year, Congress passed my Nurse Reinvestment Act. It was a bipartisan effort by my committee chairman, the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Michigan (Mr. DINGELL), the gentleman from Florida (Mr. BILIRAKIS), and lots of Members worked hard on it, the President signed it into law, Tommy Thompson raved about it and was glowing about it. I want to just read two sentences from his "Budget in Brief: Fiscal Year 2004" from the Department of Health and Human Services addressing the national nursing shortage:

"The Nation continues to face a nursing shortage. In 2000, the estimated national demand for registered nurses was over 100,000, 6 percent more than the supply. Demand for nurses is rapidly increasing as a result of a growing and aging population that needs more health care as well as continued medical advances that heighten the need for nurses. The nursing supply is not keeping pace with demand due to a decline in nursing school graduates and an aging of the work force."

At the time that the bill was signed into law, the omnibus bill of last year, the amount of the budget was increased to a nice size; but then, in this year's budget, it is again reduced. So these are empty words, empty rhetoric, that have come from the administration, just one piece of our complex but very important health care delivery system.

This budget request that we are facing this year has a 13 percent cut in the

nurses' education and training fund. It slashes funding for advanced practice nursing in half, and it defunds programs to train nurse faculty and geriatric nurses. I talked with Secretary Thompson about this today. I like him; I think he is an innovative thinker and committed to the issues. I asked him about these cuts and his response was, "Well, yes. We will be sticking with this proposal to cut funding for these programs," despite their assessment that the nurse supply is not keeping pace with the demand. They are just not going to do anything about it.

I believe, I say to my colleagues, that this is plainly irresponsible. We need to provide the funds to train new nurses, which we desperately need both for our ongoing medical needs and health needs, but also in the event of a bioterrorist attack. We should not be cutting this important program. I urge my colleagues who worked with me to get this Nurse Reinvestment Act to step up where the administration has not.

I told Secretary Thompson that we were going to adjust the budget to include sufficient funds for the nurse program. I apologize for making this sidebar. It is part of an overall budget that is way out of kilter, but I think it speaks in a precise way to a matter of great concern to the health and security, really, of our Nation at this time in our history.

Mr. PRICE of North Carolina. Mr. Speaker, there is no Member better qualified than the gentlewoman from California to speak to the nursing shortage and to the deficiencies in this budget with respect to nursing education. So she has done all of us a service in pointing this out, and we appreciate very much her contribution.

It is now my pleasure to yield to the gentleman from Virginia (Mr. MORAN), a member of the Committee on Appropriations and the Committee on the Budget.

Mr. MORAN of Virginia. Mr. Speaker, there are so many reasons why these tax cuts that have been proposed in the President's budget are irresponsible. One of them, obviously, is the fact that just as the budget deficits and the public debt balloons in 2008 and thereafter is when the baby boom generation, our generation, starts to retire. So we are no longer making money, helping to solve the problem; we become the problem. When I say "we," I refer to the fact that most of the Members of Congress are members of the baby boom generation. We are going to double the retirement numbers, and yet what we would be doing with this tax cut is to use every last dime of the Social Security and Medicare Trust Funds to pay for these tax cuts. Mr. Speaker, \$4.4 trillion over the next decade. That is the first element of irresponsibility.

Second, of course, is that we do not know what the costs are really going to be from other parts of the budget. We had an analysis in The New York Times yesterday. They consulted the

Congressional Budget Office, any number of distinguished economists, all of the best sources, to figure out what might be the cost of war in Iraq and of fulfilling the responsibilities that the President said that he would make us responsible for once we go in. They estimated the costs would be between \$100 billion and roughly \$569 billion. The point is, we do not know what the cost is, yet we are going to go ahead with these tax cuts when we do not know how much money we are going to have available. So we have no idea how much we are going to be borrowing from the next generation.

The third that has been aptly discussed is the fact that the money is going to the very wealthiest people in this country, the people who needed the tax cut the least and who are the least likely to spend it immediately to stimulate the economy. So it does not make a whole lot of economic sense when what we are really trying to do is to pull this country out of a lingering recession.

The last issue that I would like to address is some of the foregone alternatives that are caused as a result of the tax cut. Today we heard from the Secretary of Health and Human Services. The administration has a prescription drug plan. They are touting it. They should be ashamed of it, because the fact is that it is woefully inadequate. Medicare beneficiaries are going to spend more than \$1.8 trillion on prescription drugs over the next 10 years, and even if every dollar of the President's proposal went to our prescription drug coverage, which it will not, there is really only about \$300 billion that actually goes to covering prescription drugs, the plan would only cover 22 percent of beneficiaries' medication needs. Seniors who spend more than \$5,500 of their own money would get only 20 percent reimbursement for their drug costs.

But it seems to me that when we look at a plan like this, we really ought to consider what we get as Members of Congress, and there is where the deficiency is most pronounced. The President wants seniors to pay a \$275 deductible each year. Most Members of Congress pay no deductible. The President wants seniors to pay 50 percent coinsurance for the first \$3,000. Members of Congress only pay 25 percent. The President wants seniors to have a gap in coverage where they pay 100 percent of the cost when their need is between \$3,000 and roughly \$7,000. Most Members of Congress have no gaps in prescription drug coverage, and yet the administration says that they want it modeled after the Federal Employees Health Benefits Plan.

Mr. Speaker, it is not just the prescription drug coverage that is going to be necessarily inadequate. The Medicaid program is going to be capped with block grants. We look at programs like housing programs, HOPE 6 that the President has touted and, in fact, HOPE 6 is eliminated in this

budget. This budget cuts education, it cuts 36,000 seniors from Meals-on-Wheels, not to mention No Child Left Behind which was the President's principal domestic initiative, and it is \$619 million less than what is needed just to offset inflation. I could go down a long list. I am not going to do that.

Mr. Speaker, the fact is that the President's budget and the President's economic plan does the American people an injustice. It needs to be defeated.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman from Virginia for a very useful look at a number of critical items in the President's 2004 budget.

I yield to the gentleman from Massachusetts (Mr. TIERNEY), our esteemed colleague.

Mr. TIERNEY. Mr. Speaker, I thank the gentleman for his hard work in putting this time together.

Mr. Speaker, I rise today to discuss President Bush's 2004 budget which, unfortunately, and I think disturbingly, at a time of continued economic insecurity and global instability, fails to put America's priorities ahead of politics and ideology. The President continues to pursue an irresponsible economic policy that focuses solely on multiyear tax cuts for our wealthiest citizens, while offering little assistance to countless working individuals and families that need it the most. One of my colleagues said it best earlier today: This is the most irresponsible fiscal situation of an administration since the days of Nero.

□ 1915

All this is going on while the same wealthy individuals and corporations that have already pocketed the lion's share, the disproportionate share of \$1.6 trillion in tax cuts for 2001 and 2002, are out there, while the number of unemployed workers, white-collar and blue-collar, are higher than they have ever been in decades.

Further, although the President says he supports education, homeland security, prescription drugs for seniors, and a myriad of other responsible needs, his budget reflects otherwise. There is a clear disconnect between what the President promises and what he produces. His rhetorical support for many critical domestic processes is simply not reflected in the budget's numbers and figures. The reality is that children will be left behind. Our first responders, those that protect our borders and ports, will not be adequately funded; and our senior citizens will be short-changed.

On top of all of this, we are having the biggest defense buildup in the past 20 years. The costs of disarmament or a potential war with Iraq are not even included within the President's budget or within those Department of Defense numbers. While the White House speaks of little else besides Iraq these days, the one place they are conspicuously silent is in the budget.

Today's report in the Washington Post says the President is going to request a supplemental spending bill of as much as \$95 billion to pay for any military action in Iraq. Why is that not in the 2004 budget? Why is it not being talked about with the American people today as the cost of what we are looking at here?

They have already offered \$26 billion to Turkey for the use of our bases on their northern front against Iraq. All of this, the \$95 billion, the \$26 billion to Turkey, God knows how much else to other countries whose silence or participation is being bought with respect to the invasion of Iraq, is in addition to the \$400 billion in the fiscal year 2004 budget already proposed for the Department of Defense for our military, and there is no end in sight.

Estimates for the cost of war, even if it is successful in military terms, and Iraq's reconstruction are between \$50 billion to \$200 billion. At the same time, we are continuing to spend 650 to \$750 million a month in Afghanistan to try to rebuild that country. We are going to continue to do that for the foreseeable future.

We have to put this budget in perspective. When we add all of that up, without the cost of Iraq, this \$5.6 trillion budget surplus we looked at at the beginning of this Presidential term has already been replaced by a \$2.1 trillion deficit. This is close to an \$8 trillion turnaround in just 2 years, and the numbers are staggering.

At the same time, there are record job losses and poor economic growth. Two million jobs have been lost since January of 2001. The stock market has gone down while the unemployment rate has gone up. Consumer confidence is at its lowest level in nearly 10 years.

Meanwhile, in response to all of this, all this administration can do is to continue to promote and advance the narrow economic plan of tax cuts for the few without regard to the plight of the many.

There are consequences for this flawed fiscal policy, and our vital domestic programs on which many people depend are what are going to suffer. They were underfunded even before we started talking about what is going to happen in Iraq, and they are going to be even more severely underfunded after that.

No Child Left Behind will leave many children behind. It is \$9 billion beneath the amount that the President promised.

After-school programs, a cut. Two million children will be left without the benefit of those programs. In April of 2002, the President went to New Mexico and told us all about his support for Even Start, but he cuts that program; and he cuts the Head Start program, as well.

The President cuts vocational and technical funding. Even though 34 percent of our children are all that go on to higher education for 4 years, he is cutting money from vocational and

technical programs that might give other children the chance to go on and have a well-prepared background for a life that gets them ready for the future.

I could go on and on, but I know other Members want to speak. I would simply say this budget is totally irresponsible, and it has yet to put in the amount of money we are going to be spending in Iraq and in occupying Iraq.

I think the President owes the American people an explanation of just what that amount is and what are the costs, not only in terms of human life of Iraqis and United States individuals, and others, but what is the cost in treasure, and what are we giving up for his decision not to go ahead and contain this country, and not to go through the United States Security Council to bring that matter to a resolution, but rather to go in unilaterally and peremptorily invade at a significant cost. That is what the American people have to know and debate.

Mr. PRICE of North Carolina. Mr. Speaker, I am pleased to yield to my colleague, the gentleman from North Carolina (Mr. ETHERIDGE), who served as our superintendent for instruction and therefore knows our education budget very, very well, but also has been a very strong spokesman in this body for fiscal responsibility.

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman for yielding to me, and I thank him and the gentleman from South Carolina for pulling this Special Order together.

Mr. Speaker, I have been working hard to get Federal support for our schools. Although this White House talks a good game about education, when it comes to the budget, the devil is always in the details; and the details of the Bush budget certainly provide tremendous cuts to vital education aid in my military communities.

I want to talk about just one area tonight: those communities. Mr. Speaker, President Truman established Federal support known as Impact Aid for school districts that are impacted by heavy Federal presence because they do not pay property taxes. In my district, Forts Bragg and Pope are two major bases; and other people can talk about theirs, where thousands of soldiers, airmen, and their families are based. Because these Federal entities do not pay taxes, we provide for something called Impact Aid to help with books, teachers' salaries, buildings and the like. Impact Aid was designed to compensate for the revenue losses.

Well, in these areas across the country, they have seen devastating cuts this year because of State budgets being put in trouble because of this administration's policies. In this budget they are proposing to cut \$173 million from Impact Aid, a 14.5 percent cut, at the very time when we are asking our men and women to deploy and go overseas, and leave their children back home for an education. This is just terrible.

By not allowing federally connected school districts to count children where parents reside off base, this is what they said in Cumberland County, the President is ignoring 240,000 children who attend the schools in the areas around these bases. Abandoning these children is not only a mistake; it is absolutely immoral.

Last week the Fayetteville Observer reported that under the Bush budget, funding for 14,600 children living off the post there would be eliminated for funding. Mr. Speaker, my State's economy is hurting because of this administration's economic policies. Other States are seeing the same. State budgets are being slashed.

We cannot allow, in one of the largest deployments, at a time when impending war is here, allow these men and women to be concerned about their children being educated at home. Rather than being compassionate, these cuts in Impact Aid are absolutely cold cruelty, and I urge my colleagues to restore these devastating cuts.

Mr. Speaker, I rise tonight to join my colleague from South Carolina, Mr. SPRATT, and Mr. PRICE of North Carolina to talk about the serious consequences of President Bush's misguided budget proposals. I want to thank my friend for his unsurpassed leadership in this vital area.

As the former Superintendent of North Carolina's public schools, I have made federal support for education my top legislative priority as a member of the U.S. House. Although this White House talks a good game about education, when it comes to budgets the devil's in the details. And the details of the Bush budget contain an inexcusable cut to vital education aid for our military communities.

Mr. Speaker, President Truman established federal support known as "Impact Aid" for school districts that are impacted by a heavy federal presence. For example, in my Congressional District, we have Fort Bragg and Pope Air Force Base where thousands of soldiers, airmen and their families are based. Because these federal entities do not pay local property taxes, the school districts are deprived on their normal source of revenue for books, teacher salaries, school buildings and the like.

Impact Aid was designed to compensate for some of that revenue loss. In areas like Cumberland County, NC, Impact Aid is a crucial component of the annual budget, and if it's not there, that community will face massive property tax increases, devastating cuts to schools, police and fire and other vital services.

Under its proposed budget for next year, the Bush Administration has proposed cutting \$173 million for Impact Aid. That's a 14.5 percent cut.

In addition, the Administration proposes to end Impact Aid for children of military families who live off base. Earlier this month, the head of the National Association of Federally Impacted Schools said, "By not allowing federally connected school districts to count children whose parents reside off-base . . . , the President is totally ignoring over 240,000 children who must attend these schools." Abandoning these children is not only a mistake, it's immoral.

Last week, the Fayetteville Observer reported that under the Bush budget, funding for

14,600 children living off the post would be eliminated.

Mr. Speaker, my state's economy is hurting because of this Administration's terrible economic policies. The state government has been forced to slash funding. At the same time, military families are dealing with large-scale deployments for the looming war against Saddam Hussein. And the communities that support these military facilities already face devastating losses of commerce and tax base.

Rather than being compassionate, these cuts in Impact Aid are cold cruelty. I urge my colleagues to restore these devastating cuts, and I thank my colleague Mr. PRICE for his leadership on budget issues and for organizing this Special Order.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for his contribution with respect to Impact Aid, a subject we have heard about tonight. That certainly is a deficiency in the President's budget.

I am happy to yield the remainder of our time to the gentleman from South Carolina (Mr. SPRATT), the chairman of our Committee on the Budget, for whom I am substituting tonight. He has been tied up in a meeting. We are glad to have him here on the floor to wrap up this Special Order with his own insights.

Mr. SPRATT. Mr. Speaker, I thank my friend and colleague, the gentleman from North Carolina (Mr. PRICE), for taking charge of this Special Order and making this information available. It is awfully difficult to get all of this detail and all of its complexity out so that everybody can understand why we are so concerned. This is not just political rhetoric we are going through tonight.

I have one chart here which runs the risk of being a little complex, but it tells a great deal about where we are. First of all, it shows the surplus that we thought we had that OMB estimated in January of 2001 as \$5.637 trillion. A few weeks ago, OMB came back to us, the Office of Management and Budget, and says, whoops, we were wrong. We have to make economic adjustments to that surplus of \$3.174 trillion. What that means is that the adjusted surplus, the real surplus in economic reality now is \$2.463, not \$5.63 trillion.

Then if we look at these enacted policies, and these are things done today, legislated, which have committed the available surplus, we will find they add up to mostly the tax cuts, \$2.6 trillion. As a consequence, we have already committed all of the available surplus still remaining after economic adjustments from the \$5.6 trillion surplus last January. In fact, we are \$19 billion over and above that surplus if we do not do another thing, just sit still and do not increase any policies.

However, the administration, knowing that, is proposing nearly \$2 trillion in additional action, the lion's share of which goes to additional tax cuts, two tax cuts that come to about \$1.4 trillion. As a consequence, they are adding

\$2.1 trillion to the national debt, which, with cumulative deficits between 2002 and 2011, will come to \$2.1 trillion.

Here in one chart, very graphic, is why we are concerned. Now we are living in this sweet spot. Those are the peak years of the baby boomers when they are doing better and paying into the Social Security and building up a surplus, for now. As this chart shows graphically with these red bars here below the line, in 2017 that gravy train comes to a halt. Social Security goes cash negative, and it is that that we should be getting ready for right now. We are doing just the contrary of what we should be doing to prepare for those years when the baby boomers will be retiring.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for contributing to the Special Order.

UNFAIR DELAY IN CONFIRMING APPOINTMENT FOR MR. MIGUEL ESTRADA

The SPEAKER pro tempore (Mr. PORTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 60 minutes as the designee of the majority leader.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, it is an honor to be here in this wonderful Chamber to discuss what I think is a rather puzzling situation that has taken over our government, our legislative branch of the government, and in particular, the legislative branch on the other side of the Rotunda.

We have seen that a number of people have tried to do anything and everything to avoid, to stop a brilliant young attorney who has been nominated by the President of the United States to be on the Appellate Court for the District of Columbia.

I say he is a brilliant young attorney because everybody has had to recognize his brilliance. Those that have worked with him have had to recognize his brilliance. He has worked not only as a prosecutor from the great State of New York; he has also worked in the office of the Solicitor General with two administrations, a Republican administration and also a Democrat administration.

All the people who have worked with him from both parties in both administrations have publicly recognized the brilliance, the decency, the integrity of this brilliant young attorney; a man who got here to the United States at age 17, Mr. Speaker, barely speaking English, and he got here and worked and studied, and was able to graduate with honors just a few years later from that most prestigious university, Columbia University; with honors, I repeat.

Then he went on to study law, but not just in any law school, in Harvard Law School, probably, I guess, among

the most prestigious law schools in the entire country; I would rather say in the entire world.

He also graduated from that university, that law school, with honors. While he was studying, he was also the editor of the law journal there, the law review in that prestigious law school. He graduated with honors and went on to become a prosecutor in the State of New York. That was after he was prosecutor, I am sorry. He went on to work with the Solicitor General's office under President George Bush, Senior; and then he also worked for President Clinton's administration in the Office of the Solicitor General; an incredible, impeccable record.

I am trying to see if I can get some of my colleagues here to maybe try to explain to me what is going on here. Why is it that this brilliant young man, this brilliant Hispanic lawyer, is being treated differently than others who have had similar records, similar experiences, who have gone on to become judges and have not received the obstacles, have not been attacked the way Mr. Miguel Estrada is being attacked today? And this attack has been going on now for a long, long time.

I brought just a calendar to kind of let us know how long it has been. It has been almost 2 years, 2 years since this young brilliant, talented, effective man of integrity has been held hostage. As we see here, not only has Miguel Estrada been held hostage, but diversity in our court system has been held hostage.

□ 1930

I just do not get it. I see here the gentleman from Florida (Mr. FEENEY).

I do not know if the gentleman has an explanation as to why it is that the minority party in the other Chamber insists on not letting this man even come up for a vote, to the point where they are using all sorts of procedural matters to not permit this man to even have the opportunity for his nomination to be voted up or down.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would request Members refrain from improper references to the Senate.

Mr. FEENEY. Mr. Speaker, I thank my dear friend from South Florida and, indeed, a colleague in the Florida legislature, a mentor, advisor, and a dear friend of mine for many years. And I want to congratulate the gentleman for his leadership, because as long as I have known the gentleman from South Florida (Mr. MARIO DIAZ-BALART) when he sees wrongdoing going on, he speaks out and he does so with a passion and a fervor.

The gentleman understands the difference between freedom and oppression because of his background on the Communist state of Cuba and the freedom he enjoys and fights for every day and hour of his waking life here in America. And I want to thank the gentleman for being such a great friend

not just of mine but, more importantly, to freedom.

The gentleman has asked me to explain the inexplicable: why a man like this would be held hostage; why diversity would be held hostage by his critics; he has asked me to explain why somebody with incredible merits, impeccable academic background, incredible moral background, a hard-working gentleman who came to America as a 17-year-old and has led and proven the American dream.

The gentleman has asked me to explain why enormous integrity is actually held against an applicant for the United States Federal bench, and I cannot explain the inexplicable even though I am a politician, while there will be some politicians that will try. Being punished for having all the enormous merit that Miguel Estrada has is something that I find very personally offensive. I think it is offensive to the American way. I think it is offensive to the entire notion of an independent judiciary.

And I will state for those of the American public that are watching tonight, maybe they do not understand all the details of what it takes to succeed and get to the Federal bench. I want to boil it down.

I am a former practicing attorney in business in the real estate field. I want to boil it down so I think that normal people, people that really are not politicians or lawyers, can understand. There are really two basic qualifications, I think every American would agree with this, in order to get appointed to and succeed on the Federal bench:

Number one, you need to be fit. You need to be fit morally. You need to be fit intelligently. You need to be fit academically.

Number two, you need to adhere to the United States Constitution and to the rules of law.

I would suggest to my great friend that the sin that Miguel Estrada is being accused of is that he is enormously well fit and he is enormously dedicated to adherence to the Constitution and the rule of law. And that bothers some people because they want to pull it aside. They want to twist the Constitution. They want to rewrite the Constitution.

I will tell you that one of the things that the gentleman is being held up for is because when he was asked specifically how he would rule on specific cases that might come before him as a United States Supreme Court Justice, he said that he would have to decline to say specifically, because the entire notion of an independent bench is not to make promises.

It is not like the political world that we live here in the Congress. It is not like the executive branch. In the executive branch and the legislative branches we share our biases with the voting public. We say we are for this and we are against that. People get to vote in a representative democracy in

favor of one candidate against another because of their political biases. But on the bench you are supposed to put your political biases away and you are supposed to adhere to the Constitution and adhere to the rule of law. That is what offended political activists who want to take over the judiciary and use it in a way to take over the representative government. In my view, that is the fundamental reason why Miguel Estrada has been torpedoed.

But he has another sin. The fact that he is, as the gentleman understands, a great colleague of mine, he represents a great district in south Florida, both east and west coast. The notion that this is a gentleman with an ethnic background that is not white, Caucasian like me, but that comes from a wonderful part of our American society, but he does not adhere to the liberal big-government notion of rewriting the Constitution in some people's minds disqualifies him from serving on a bench that they want to turn into a political operation.

And by the way, the wonderful thing about the arguments that we are able to make, and our colleagues on behalf of the Miguel Estrada nomination, is that no individual critic of his has come forward with a specific sin. They admit that he was one of the brightest students, actually the brightest student, magna cum laude, editor of the Law Review at Harvard Law School, as the gentleman pointed out. He has the intellectual IQ. They have admitted that he has incredible integrity. There is no question about the gentleman's integrity. He has fantastic integrity.

They have admitted that he has got a great background, that he has worked hard, that he has lived the American dream. Their problem is that they cannot point to one flaw in this man's character, his capability, his academic career, his working career. And so as a sort of camouflage for why they are really opposed to Miguel Estrada's nomination to the Federal bench they say this; and, by the way, as the gentleman knows, he would be the first Hispanic American ever on this appeals court that he has been nominated to. They say little things like he has not disclosed secret advice in a legal memorandum to his client.

Now, I can state that while I was a business and real estate lawyer, that if we are going to force every applicant to the Federal bench to disclose secret memorandums and advice to their clients, a couple things will happen: Number one, nobody who has ever written candid advice to their clients in the public or private sector will ever apply to the bench. We will disqualify all the best lawyers in the country, because the truth of the matter is that the obligation of an attorney is to zealously advocate for their client and give them candid, secret, private advice. The attorney/client privilege is critical because if you do not have it, your lawyer will not tell you the truth about what you need to do to protect yourself.

There is a second application here in terms of undermining the attorney/client privilege, and that is that people in government will not get the best advice that is available. If lawyers who work for the government know that everything they say to their clients one day will remain public, then the President, individual Members of Congress, and others will know every day that their lawyers are not going to tell the truth to them. What their lawyers are going to prepare is documents prepared later for a publication so that the whole world will see exactly what their advice to their clients was. This will undermine the entire legal system in my view, and, in all candor, anybody who has ever been subject to a traffic ticket, some sort of criminal problem; who has had a civil litigation matter, if they can imagine; a divorce, for example, as my colleague may know some people, we dealt with some divorce law in Florida.

Imagine going through a divorce and as a spouse fighting over a child's custody, fighting over issues of whether or not you will be able to get enough alimony to support your children. Imagine if everything your lawyer tells you or writes to you is going to be published in the New York Times and the rest of the journals throughout the world tomorrow, imagine how candid and honest and decent your lawyer is going to be with you. He is not.

Mr. MARIO DIAZ-BALART. Mr. Speaker, may I ask a question on that note? If I may, there is a letter that has been, that we have all seen, that is signed by every living former Solicitor General, some of them are Republicans, some of them are Democrats, stating exactly what the gentleman has just said; how that would be devastating for the country in that office's ability to represent the U.S. before the United States Supreme Court.

So, again, the gentleman is stating some pretty obvious, I think, common-sense reasons as to why that should not be released.

Number two is that every Solicitor General, former Solicitor General of both parties, so this is bipartisan, this is a bipartisan statement, in writing have said exactly what the gentleman has just said: that that information cannot be released.

But I have to admit to the honorable gentleman from Florida that the part that has me more preoccupied, more worried, is that if that is the standards that some people want to use as to why certain nominees for judge should be disqualified, then it may be wrong. It clearly is because every living Solicitor General of both parties has stated it in writing. If that is the standard, there is an argument. What really worries me is the double standard that is being applied to Mr. Estrada.

There have been seven judges that have come out of the Office of Solicitor General. Seven judges. And not once have those documents been requested of those individuals. Not once was that

deemed to be necessary. Not once was that deemed to be essential. And clearly never was that used as a something to block the nomination of seven other people who have come from the same office. So why the double standard? Why the double standard on this brilliant Hispanic lawyer who, as the gentleman stated so eloquently, there is nothing in his record other than talents, discipline, hard work, decency, integrity. Why the double standard when there are seven other people who have passed this process and those documents were never asked of them, and now that is being used as an excuse for this one individual. That is what really worries me.

And I do not know if the honorable distinguished gentleman from Florida (Mr. FEENEY) has any comments on that, because I really am worried about that.

Mr. FEENEY. Well, I have some sure thought, and then I know the gentleman has some other Members here that are really passionate about how offensive it is about what is happening to Miguel Estrada. But I will tell you this: There is a double standard. Miguel Estrada would be the first Hispanic ever on this bench. He is a Solicitor General not in just the Republican administration, but he worked for President Clinton's administration. He got high marks everywhere he worked.

The problem is this. The critics of Miguel Estrada do not want a vote. They do not want a debate over his talents, his capabilities, his integrity, his morals, his academic achievements; and they especially do not want to discuss the fact that this wonderful gentleman came here as a 17-year-old, lived the American dream, and now is an outstanding American statesman. They cannot vote against a man if they have to live with a description of his incredible achievements.

So what the critics are using is all sorts of excuses. And as the gentleman points out, they have never ever once demanded that any of the nominees in the past live up to the technical requirements that they are trying to place on him. The double standard the gentleman speaks about, in my view, is because Mr. Estrada is a lesson to Americans that you do not have to think, just because you are a Hispanic American, in a one-little-box mentality. You do not have to be a liberal activist. You do not have to promise to undermine and rewrite the original intents of the United States Constitution. And the lesson that the liberal critics want to teach not just Mr. Estrada, but everybody else, that they are going to crush you if you believe that the Founding Fathers wrote what they meant, meant what they said. And we are especially going to crush you if you come from some minority background or if you are a woman, for example, because they never, never want to have a day in America where people, regardless of their ethnic background or their gender or their race or their

religion, can actually think outside a small liberal box.

And I want to tell the gentleman once again that for as long as I have known him, he has been a freedom fighter. When he sees wrong going on, he leads the fight to basically stand up for decency, for values, for the American way. I am a huge fan of the gentleman from south Florida and I believe, as I know he does, that if we just let the American people know that there is a crime being committed in public against Miguel Estrada, that two things will happen: Number one, he eventually, despite, despite this ugly episode led by his opponents attacking him in a surreptitious way because they cannot do it directly, he has no flaws in his background; despite that, he will end up on the Federal bench.

□ 1945

Secondly, the wonderful news is that free thinkers throughout America, regardless of whether they are women or what their religion is or what their ethnic background is, will be sent the message they do not have to pander to the liberal left wing special interest groups; they can be true to the United States Constitution; they can still make it as a Federal judge. That is a great message.

Mr. MARIO DIAZ-BALART of Florida. I thank the gentleman from Florida for that very clear explanation, crystal clear explanation as to what some of the problems that we are seeing with this move to use all sorts of procedural maneuvers to try to block, torpedo the nomination of Mr. Miguel Estrada; and again, it is hard to believe that this is actually happening in this day and age.

We have talked about, as the honorable gentleman from Florida talked about, the double standard; and it is not just one double standard that is being applied to Mr. Estrada. It is multiple double standards; and it is multiple double standards, and some of the people that are actually speaking these words and opposing Mr. Estrada's nomination are on record in the past saying just the opposite. Why? Why all of the sudden, when it is this person, again, the first Hispanic American ever to be nominated to this most prestigious court, why is it that now there is this double standard?

There are people who have said, for example, that the gold seal to determine if one is so qualified or not is the ABA's rating; and yet Mr. Estrada has been rated as the highest-qualified person that that organization rates anybody. And yet all of the sudden, for Miguel Estrada, that is not good enough, and it seems to me a very sad day when people who just a few months ago said something totally different are now backtracking on their own words, reversing what they said. Were they not saying what they meant then, or are they not saying what they mean now? Were they deceiving the people then or are they deceiving the people

now? It is a very, very sad state of affairs.

I am honored to have the gentleman from the State of Colorado here join us today; and I would, Mr. Speaker, like to yield some of my time to the honorable gentleman from Colorado.

Mr. BEAUPREZ. Mr. Speaker, I thank the gentleman from Florida; and Mr. Speaker, I would like to address this subject very directly.

The gentleman from Florida just mentioned moments ago the rating from the American Bar Association, the American Bar Association, as well qualified for Miguel Estrada to serve on the Federal bench. That rating, I might remind the Speaker, and I doubt that I need to remind the gentleman from Florida, they not only granted that rating of well qualified, the highest rating, they unanimously granted a well-qualified rating for Miguel Estrada to serve on the Federal bench.

I would like to tell a very personal story that I just last week experienced about Miguel Estrada. Many of us were back in our districts last week. Many of us had neighborhood meetings, town meetings, meetings with constituents. I did the same; and at every meeting I went to, every meeting, certainly questions came up about the possibility of war in the Middle East and people are concerned about that and about the economy. Amazing to me, amazing to me was that people, average people, normal folks that are concerned about their everyday living know who Miguel Estrada is; and they understand clearly that an injustice is being done, Mr. Speaker. An injustice is being done to this fine American.

How fine of an American is he? The gentleman from Florida explained very well. He comes here as an immigrant, barely speaks the language. He not only graduates from the university, he graduates with honors, magna cum laude from Columbia College in New York, from Harvard Law School, edits the Harvard Law Review, not exactly your average fraternity newsletter. He is not only well qualified. He is eminently qualified.

He served on the U.S. court of appeals as a law clerk. He served as a clerk in the Supreme Court for Justice Kennedy. He served as the Assistant U.S. Attorney and deputy chief of the appellate section of the U.S. Attorney's office of the Southern District of New York where he argued appeals cases before the second circuit court. He served as the Assistant Solicitor General of the United States, as the gentleman from Florida already pointed out, for two Presidents' administrations, President Clinton and President Bush 41. Still he has opponents. Why?

In my town meetings, again, my constituents, average Americans, they had it figured out. I asked them what do they think this is about. They said it is about politics. It is about politics. I understand that if they are talking about me. I expect the gentleman from Florida (Mr. MARIO DIAZ-BALART) under-

stands that if they were talking about him. We are, after all, politicians.

Mr. Estrada aspires to be a judge, a judge; and in the very definition of judge, the word "judgment," that is what we expect him to do is exercise good, balanced, educated, unbiased judgment over the laws that our colleagues will pass in this Chamber, that have been passed in this Chamber by politicians, legislators before us.

The folks back home understand that Mr. Estrada, who wants to be a judge, is being subjected to the judgment that is typically reserved for politicians. That is the injustice. That is the injustice that is being perpetrated on a good American, an American that has achieved the American dream; that has passed all standards; that has been nominated by a President; that deserves a fair hearing and is not getting one.

Mr. Estrada, some of his opponents say he has never been a judge. How can one who has never been a judge be a judge? Well, to the average observer, perhaps that makes sense. Should he not be a judge first? Amazingly enough, I find that five of eight judges currently serving on this current D.C. circuit court, five of the eight had no previous experience as judges before they were nominated and confirmed, including two of President Clinton's appointees.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, let me, if I may interrupt the gentleman from Colorado. Let me see if I understand what the gentleman just said because that is a key point there.

Some of them who are objecting to him are saying that because he has not been a judge before, that alone disqualifies him? Just that fact alone disqualifies Mr. Miguel Estrada?

Mr. BEAUPREZ. Correct.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, but what the gentleman has just expressed right now, and I want to make sure this is clear because this almost sounds funny, the gentleman is saying that in the same court where Mr. Miguel Estrada has been nominated to sit, right now there are five judges that, before they were there, they had never been judges before, and is the gentleman telling me that there was no objection on that basis to those judges?

Mr. BEAUPREZ. They were nominated, they were confirmed, they serve on the court. It gets better.

Mr. MARIO DIAZ-BALART of Florida. Please proceed.

Mr. BEAUPREZ. Mr. Speaker, it gets better. On the Supreme Court of the United States, two recent Supreme Court Justices, names that are certainly familiar to me, I expect familiar to most Americans, Byron White, Wizard White from my State, Colorado. Byron White was nominated by President Kennedy, confirmed by the Senate, served with distinction on the Supreme Court, never was a judge prior to being nominated to the highest court

in the land, not just a Federal judgeship, the highest court in the land, the Supreme Court.

William Rehnquist, currently the Chief Justice, of course, no prior judicial experience before being appointed to the Supreme Court.

Mr. MARIO DIAZ-BALART of Florida. I thank the gentleman from Colorado for his comments.

Those are disturbing facts. Those are very disturbing facts because if the litmus test, as some are saying for Mr. Estrada, is that he has never been a judge, how is it possible that there are others on that same court, today, right now, as we speak, and of course, as you just mentioned, sir, the Chief Justice of the Supreme Court of the United States right now, they had never been judges, and yet those same individuals that are now saying that that is the reason why Mr. Estrada cannot be a judge, those same individuals did not object to these other fine public servants on the court?

Mr. BEAUPREZ. Mr. Speaker, if the gentleman would yield.

Mr. MARIO DIAZ-BALART of Florida. Please. I am having a very difficult time understanding this.

Mr. BEAUPREZ. Mr. Speaker, I shared some of this same information again with my constituents back home. They said, are his opponents grasping for straws? I said, well, one might conclude. Allow me, allow me to pursue the possibility, I think a reasonable possibility, that this is really about politics.

What we are looking for is a judge, someone who can exercise judgment; again, one who is fair and balanced; one who can be praised and acknowledged and accepted by both people of a more liberal as well as a more conservative political bias, people who are still going to accept one who carries the title of judge, the distinguished title of judge, carries that title, carries it well and that people of all different perspectives are going to recognize their skill, their talent, their fairness, such as Ron Clay, former Vice President Gore's chief of staff.

A Democrat, Vice President's former chief of staff, said this about the same Miguel Estrada: "Miguel is a person of outstanding character, tremendous intellect and with a deep commitment to the faithful application of precedent." That is what judges do. "Miguel will rule justly toward all without showing favor to any group or individual."

I cannot think of a stronger mission statement, a stronger definition, a stronger statement about the credentials that I would hope all judges could pass before being appointed, nominated, confirmed to a judgeship as important as the U.S. Court of Appeals for the District of Columbia; and I certainly hope, it is my belief, it is my prayer, that a true American hero, these are the kind of stories, these are the kind of individuals we in this body ought to be about raising up as a standard of excellence, something for our

young people, for all Americans, for all citizens of the world to look at and say that is what is America. That is what America is for. And yet this poor man is being persecuted, not praised and not elevated.

I thank the gentleman from Florida for the time, and I thank him for what he is doing to advance the cause of this fine American.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I want to thank the gentleman from Colorado for really shedding some light, and I had a friend who used to say do not let the facts confuse the issue, and there are some people that do not want to let the facts confuse the issue.

The honorable gentleman from Colorado just brought some impressive facts. He talked about Miguel Estrada's qualifications. Yes, he would be the first Hispanic to sit on this court; but let me tell my colleagues, I am of Hispanic descent, and I am very proud of that, but I am not supporting Miguel Estrada merely because he is Hispanic. I am supporting him because of his talents, because of his integrity, because of his record, because of his life of achievements; and we heard from the gentleman from Colorado what some of those achievements are: graduated Phi Beta Kappa from Columbia College, magna cum laude from Harvard Law School, unanimously stated to be well qualified, the highest rating from the American Bar Association, and then, yes, he worked at the Department of Justice for both Republican and Democrat Presidents and has been called "an extraordinary legal talent and generally compassionate," by President Clinton's Solicitor General.

□ 2000

What, then, is the real reason? What is the true reason that the body across the hall is using procedural measures to stop a vote? They do not even want him to have a vote. They do not want this gentleman to have the possibility to receive a vote, a public vote in front of the entire country, to let people decide in an open fashion whether they should vote up or down. Why is it then, if he is so qualified, why is it then, if the reasons du jour, the excuses du jour, are proven to be false, like the ones we just heard before, that the reason he cannot be a judge is because he has never been a judge before, yet there are five members of that same court that had never been a judge? That was never a problem for them. Why is it only a problem for this man?

They say, well, some documents have not been released. But there are seven individuals that have also come out of that same office who have become judges, and those documents were never asked of them. And in a bipartisan fashion, all living ex-Solicitors General have said, both Republicans and Democrats, that those papers cannot be released, and they have never been requested. Why is it then, that

only for this man, for this individual, these things are requested? And why is it then, that they are going to the most extraordinary means to use procedural measures to not even permit a vote, to not even permit a vote on one who would be the first Hispanic, the first Hispanic in the history of this noble country to reach that position?

I am honored tonight to also have the distinguished gentlewoman from the State of Michigan, and who comes here with an extensive public record from her State, who I will yield to at this time, Mr. Speaker.

Mrs. MILLER of Michigan. Mr. Speaker, I certainly thank and appreciate the gentleman from south Florida for yielding to me.

Mr. Speaker, I am a new Member of Congress, as I know my colleague is as well, and when I thought about what I wanted to do with the rest of my career, I thought about the idea of running for Congress; because I have watched, as I think so many Americans have watched, the political partisanship and the gridlock that has happened in our Nation's Capital. I am sure it has always been there, but it seems to have gotten worse over time. And what is happening to Miguel Estrada is a very vivid demonstration of political gridlock and it must be stopped. It has to be spoken out against, and I am here tonight to try to do so; at least to lend my voice to that as well.

How can we stop the political posturing, how can we break the gridlock? I think one of the charts that my good colleague from south Florida held up here tonight, he titled it "Diversity Held Hostage," has a very vivid demonstration of how long this nomination has been held up. The chart, with just a simple calendar, has the X's as the days and the days go by. The months are going by. Years now are going by on the Miguel Estrada nomination. In fact, President Bush nominated Miguel Estrada to the D.C. Circuit Court of Appeals in May of 2001. 2001. In May of 2001. Nearly 2 years later, Miguel Estrada has yet to be confirmed. I would say that this, by any reasonable standard, is quite outrageous. I believe that to be quite outrageous.

Miguel Estrada, as has been mentioned here tonight by many of my other colleagues, quite frankly is the American dream. We are a Nation of immigrants. I am first generation here, from Scotland. We are all immigrants. We are a Nation of immigrants. We are a Nation that reflects how to build the American dream, and he certainly represents the mainstream American values as well as mainstream American law. If we think about it, from his roots in Honduras, certainly his struggle as an immigrant who came here speaking very little English, Mr. Estrada has literally risen to the very top of the legal profession, of his chosen field, and now he is on the brink of making history in our Nation. If confirmed, Mr. Estrada would be the very

first Hispanic ever, ever to serve on the D.C. Circuit. Many consider this actually to be the second most important Federal court in America. Unfortunately, regrettably, his appointment has been held up, as we say, by the very smallest of causes. And that, I truly believe, sincerely believe, is simply political posturing.

Mr. Estrada should be confirmed because he is highly qualified to serve on the Federal bench, period. He has every possible qualification that would meet any reasonable standard. And let me just reiterate some many have been spoken about previously, but I think it bears speaking again. This is an individual who actually earned his law degree magna cum laud from Harvard Law School, and he did so at the same time he was serving as the editor of the Harvard Law Review. Five years after his graduation, he was clerking for the United States Supreme Court. He served as a clerk for the U.S. Supreme Court. He served as an assistant United States Solicitor General under both President Clinton as well as President George Bush. He has had experience in the Manhattan United States Attorney's office. He has practiced constitutional law extensively. He actually argued, and I find this fact really quite fascinating, he actually argued 15 cases before the Supreme Court before the age of 40. That is really quite remarkable. The American Bar Association has unanimously, unanimously being the operative phrase here, rated Mr. Estrada as well qualified, which is the very highest rating that anyone can possibly achieve. Some Senators actually refer to this as the gold standard. He has very strong bipartisan support. And, again, when we speak about how we break political gridlock, political posturing, he has very high bipartisan support.

Mr. Estrada, as I say, would be the first Hispanic judge on the U.S. Court of Appeals for the D.C. Court. So, of course, I am here speaking out in support of him. I do support the President's choice. But, fortunately, it is not just me or the President or the vast majority of Americans who support Mr. Estrada. In fact, there are a number of organizations who have spoken out very publicly in support of Mr. Estrada. And let me just read a couple of quotes, because I think they speak volumes to the background of this individual and why this nomination must proceed and proceed successfully.

These, again, are bipartisan, some of them through the media. This is what the President of the Latino Coalition said about Mr. Estrada. "To deny Latinos, the Nation's largest minority, the opportunity to have one of our own serve on this court in our Nation's Capital is unforgivable".

The chief of staff of former Vice President Al Gore had this to say about Mr. Estrada. "Miguel is a person of outstanding character, tremendous intellect, and with a deep commitment to the faithful application of precedent.

Miguel will rule justly toward all, without showing favor to any group or any individual."

And this from Seth Waxman, who was a former Solicitor General to President Clinton. "I have respect both for Mr. Estrada's intellect and for his integrity. In no way did I ever discern that the recommendations Mr. Estrada made or the views that he propounded were colored in any way by his personal views, or indeed that they reflected anything other than the long-term interests of the United States."

And one other quote as well. The president of the Hispanic National Bar Association said, "Mr. Estrada's confirmation will break new ground for Hispanics in the Judiciary."

Clearly, the support for Mr. Estrada lies on both sides of the aisle. He is a role model, and not only for Latinos; all Americans can look to this individual certainly as a role model. I believe holding up this confirmation process is completely unnecessary. I think we need to allow Mr. Estrada to make history. He is well deserving of it. I am not an attorney, never served as a judge, but I am married to a judge, and I am well familiar with the exhaustive background check that goes on before someone is selected to serve on the bench, whatever that bench is. And I also know what is fair. And what is happening here to Mr. Estrada is unfair. In fact, I believe it to be un-American, and I wanted to come here tonight to speak out about this.

As many of my colleagues did, I spent last week, while we were in recess, going around my district and holding town hall meetings, talking to people, and I was amazed on this particular issue how well versed people are. It has really, I believe, caught the attention of the average American because they see the unfairness of this. They see the persecution of this individual, and for no good reason. For absolutely no good reason.

Mr. MARIO DIAZ-BALART of Florida. If I may reclaim my time, Mr. Speaker, for just a moment. Let me ask the gentlewoman from the State of Michigan a question. Because one of the things I get back home a lot, and like my colleague mentioned, I am new to this process here in Washington, D.C., but one of the things I get a lot and I have heard for years is, well, people are just fed up with the double talk. They say, all that double talk up there in Washington. And certainly some people say one thing one day and something else a different day, and so they are fed up. That is one of the things that we all, I guess, and I am going to ask the gentlewoman if she has heard a lot of that in her years of public service also, during her campaign, and now that she is having public hearings.

I have seen some really interesting examples of that, which I have to admit have shocked me. Even having heard that all these years, upon arriving here I have seen some examples that have frankly shocked me. They

have been so blatant, frankly, it is to the point of being shocking. When, as the gentlewoman mentions, certain people say the standard, the ABA rating, is the gold standard, and then all of a sudden, oops, just kidding, never mind, not for Mr. Estrada. For everybody else, yes, but not for Mr. Estrada.

Then we have certain people, distinguished people, very well-respected people, people we see in the news all the time, and people that we see interviewed all the time who have stated that, for example, that they would fight tooth and nail against filibustering of any judicial nominee, any judicial nominee. And I have read this from the Senate record, that they have said I am opposed to any filibustering of any judicial nominee, whether I like the person or not, because they have the right to have a vote. And then, all of a sudden, that same individual is one of those leading the fight to do what, to filibuster Mr. Estrada's nomination. Not vote against him, but filibustering. Just a while ago he said that he would go to the extreme to stop a filibuster for any nomination, for any judicial nomination.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURPHY). The Chair would caution the gentleman to refrain from any improper references to the Senate or to individual Senators.

Mr. DIAZ-BALART. Mr. Speaker, I apologize. I do not think I mentioned it was a Senator, but I guess it is pretty well known.

But that double talk is really shocking to me. And we have heard it now, frankly, more than I really expected. I do not know if that is something that the gentlewoman has gotten back home as well, as to how extreme the double talk and double standards have been in the case of Mr. Miguel Estrada.

Mrs. MILLER of Michigan. Well, if I might comment on that, the gentleman used the term double, double standard, a double standard. It actually is no longer a double standard. It is not as though there is one standard here and there is another standard here. I think what is happening in this particular case is that they are raising the standard. They are raising the bar so that it could never be achieved by Mr. Estrada. They are going to raise the bar to make sure that there is under no set of circumstances that he will ever be able to rise up to the level that they are setting for this individual.

This is a question of basic fairness. And the American public, if they understand anything, they know what is fair. And they know what is happening to this individual, to this good man, with his background, is unfair.

□ 2015

This whole concept of filibustering, we are here in Washington, again we are new Members, we are trying to understand what all this filibustering means and what is the relevance of it and those kinds of things. What the

American people are saying at home is, give the man a vote. Vote up or vote no on his nomination. Vote yes or vote nay. But they are saying, give the man a vote. That is not happening. That is the kind of comment that I heard back in my town hall meetings.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURPHY). The Chair would ask the gentlewoman to be careful about characterizing Senate action or urging Senate action.

Mrs. MILLER of Michigan. I appreciate that. I will try to exercise the proper decorum here. I am getting a little carried away with it.

Let me just close with one final comment. In one of my town hall meetings, I have five counties in my district, and in one of my counties there are seven county commissioners. One of the commissioners, I will not name his name, but he is a Hispanic gentleman, very well known, well respected in the community, has had an outstanding military background, well thought of by everyone. He and I spoke about this for quite a long time. He is of the opposite party of myself. But he did express his consternation. Again it came to an issue of basic fairness. Basically that is what he expressed to me. He said, if you have anything to say about this nomination at all, let the vote happen. Just let it happen. Let them vote yes or let them vote no. But it is a question of basic fairness.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair again reminds the gentlewoman.

Mr. MARIO DIAZ-BALART of Florida. That is a very interesting point, because there is bipartisan support for Mr. Estrada. In the Senate we keep hearing that he has more than enough votes, that if in fact these procedural steps are just not done and they allow an up or down vote, that the votes are there. But they just do not even want to allow for a vote. I want to get back to the gentlewoman from Michigan; but before I do so, we are also joined by the gentleman from Oklahoma. We just heard the passion from our dear friend from Michigan. She is passionate about it because of the injustice of what is happening to this fine individual. Again, he would be the first Hispanic in the history of this country, the first Hispanic American in the history of this country to reach that position, to be on such a prestigious court. His record is impeccable. Democrats and Republicans have stated that his record is impeccable. Those that worked for him have stated just about the quality and the talent and the integrity, the immense integrity of this human being. There has been nothing that they have been able to find negative in his record. Nothing. Absolutely nothing. Yet the bar, or the goal posts are continuously being moved by those that would oppose him.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. I am trying to give the gentleman some lati-

tude, but to review this. Please refrain from remarks that characterize the Senate or call for action.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I will try to do so. I thank the Speaker for letting me know about that.

It is hard to believe why this is happening. It is hard to believe why this gentleman is being treated differently than others who have come before him. It is hard to understand why others who are equally qualified or less qualified have not had the problems in the process that Mr. Estrada has had. He has answered more questions than just about anybody. Because I have heard that one of the reasons is that, well, he has not answered enough questions. But he has answered over 125 questions from the esteemed Members of the other body. Other judges have answered many less.

One judge recently, of President Clinton's two nominees to the court, one answered three questions; the other answered, I believe, 20. Mr. Estrada answered 125 questions. Yet some will say, that is not enough. It was enough for others, but not for Mr. Estrada. I would like to know if the honorable Member from Oklahoma is as dismayed to see what is happening as are many of us who are watching this going on and are wondering what is the real reason, what is really behind this. It is not the reasons that they are stating, so what are the real reasons?

I yield, Mr. Speaker, to the gentleman from Oklahoma.

Mr. COLE. Mr. Speaker, I thank the gentleman for yielding. It is a great pleasure to be with my good friend, the distinguished Member from Florida. I did not come here with prepared remarks and certainly I do not pretend to be able to match the eloquence of my good friend, the gentlewoman from Michigan, or the gentleman from Colorado; but I came because I was compelled, listening to the debate and having watched the debate over many days, to express my solidarity and my sentiments about the great injustice that I feel is being done here.

This is the ultimate expression of politics over principle. And what kind of principles are at stake? The principle first of merit. There is no question about Miguel Estrada's merit. He is a jurist of outstanding quality and a lawyer of distinguished accomplishment, someone who Members of both parties have recognized for his individual brilliance. This is a triumph over the principle of diversity. It is a good thing in a diverse country to have a diverse bench, to have people of different backgrounds, with a common faith and belief in this country but representing different cultural and different racial and different ethnic traditions to occupy important positions.

It is the triumph of politics over the principle ultimately of fair play, the most fundamental American principle of all, the right to have a vote, the right to be heard, the right for a deci-

sion to be made. It is unfortunate. And it is the triumph of politics over the principle of bipartisanship, as my good friend from Florida has pointed out. There are Democrats and Republicans of good will, of differing philosophies, of differing points of view but united in their belief that Miguel Estrada is a person of outstanding integrity, of great ability and as deserving of the position to which the President has nominated him.

I reflect back, Mr. Speaker, on what might have happened had similar things occurred when Colin Powell was nominated for his position as a member of the Joint Chiefs of Staff, an action which takes approval, of what might have happened when our distinguished national security adviser was chosen for her respective position. Questions were not raised then about them, what their political philosophy might be, because they were people of outstanding character and outstanding ability. Their appointment to the posts which they both currently hold is an indication of respect on both sides of the aisle for their ability.

I think in this case again we are seeing an individual punished not on the basis of merit, not on the basis even of philosophy directly but on the off chance that he might be a conservative. Certainly he is not being punished simply because he is a Hispanic. I would hope not, and I would certainly expect not. I would not attribute that motive to any of those who oppose him. But there is a sort of subtle double standard here in terms of you have to be the right kind of Hispanic. You have to believe in the right set of principles in order to occupy a position of trust and responsibility in the United States. That is simply inappropriate.

As you know, Mr. Speaker, I have a Native American heritage. Many of the people in the tribe to which I belong are historically Democrat. But frankly they supported me because they thought I had the ability to represent their views and their point of view. That is in essence what is at stake here, whether or not we will discriminate or stand idly by and watch someone discriminated against simply because they hold a view which a minority of people think might be unpopular but which the majority in this country clearly support.

I want to thank the gentleman from Florida again for taking on this fight, for waging it so diligently and for mobilizing so much support on behalf of not just an individual but on behalf of the defense of fundamental American principles.

Mr. MARIO DIAZ-BALART of Florida. I want to thank the distinguished gentleman from Oklahoma. As always, he has a way of really speaking with a lot of common sense. I want to thank the gentleman for that, for bringing some sense of reality to what sometimes can be a pretty crazy process.

Mr. Speaker, in my remaining time, I just want to really thank and commend Senator HATCH, Senator

SANTORUM, and many others on that side for standing up for the Constitution of the United States, for standing up for fairness.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman is admonished to not mention individual Senators.

Mr. MARIO DIAZ-BALART of Florida. There are many who are standing up for the Constitution.

RECOGNIZING A NATIONAL DAY OF REMEMBRANCE TO INCREASE PUBLIC AWARENESS OF EVENTS SURROUNDING INTERNMENTS OF JAPANESE AMERICANS DURING WORLD WAR II

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. HONDA) is recognized for 60 minutes.

Mr. HONDA. Before I get started, let me just compliment the gentleman from Pennsylvania for his patience in being here this evening. I appreciate your presence, Mr. Speaker.

Mr. Speaker, I rise today to discuss House Resolution 56, a resolution I introduced earlier this month. This is a resolution supporting the goals of the Japanese American community and recognizing a national day of remembrance to increase the public awareness of the events surrounding the restriction, exclusion, and the internments of individuals and families during World War II.

Let us be clear about this. In 1942, more than 120,000 people were rounded up in this country, primarily from the west coast, and incarcerated. Families were torn apart. Hardworking people had to sell their businesses for pennies on the dollar. Everything these people worked so hard for evaporated overnight. I spent part of my childhood in a camp in southeast Colorado, an internment camp called Amache. House Resolution 56 also recognizes that some in the German and the Italian communities experienced deprivation during this period as well.

This resolution has been referred to the Committee on the Judiciary and has currently over 60 cosponsors. This year marks the 61st anniversary of President Franklin D. Roosevelt's signing of executive order 9066 on February 19, 1942; and it is the 15th anniversary of the Civil Liberties Act of 1988 signed by President Reagan.

The day of remembrance is as important now as it has ever been. We are again living in perilous times. Our country is at war against terrorism. We may soon be at war with Iraq. The history of World War II demonstrated that our Constitution is tested in times of trauma, tension, and turmoil. In 1942, our political leaders failed. Therefore, today we must work to educate the public about the internment of Americans today in order to prevent similar injustices to be forced upon other Americans. Our civil liberties

have not been in as much risk since World War II, and this time we as political leaders cannot fail.

Many might be aware of the comments made by one of our colleagues earlier this month on a live radio call-in show. Our colleague said that he agreed that President Roosevelt's decision to sign executive order 9066 was appropriate. He said, with the information the President had at the time, he made the best decision he could. He also stated that the incarceration of Japanese Americans was for their own safety. In addition, statements were further made that some Japanese Americans during World War II were probably intent on doing us harm just as some Arab Americans are probably intent on doing harm to us today. Such statements are inaccurate and simply wrong. As my father always said to me when I was a child, if we were put in camps for our own protection, then why were we the ones behind barbed wires and why were the machine guns pointed inwards toward us?

□ 2030

Furthermore, such statements from a government official are disturbing and dangerous, as they appear to endorse a policy of racial and ethnic profiling that has long been discredited. Saying that the internment of Japanese Americans was appropriate is simply unacceptable and factually inseparable.

One of the most concise rebuttals that I have read to the notion that Japanese Americans were placed in camps because they either posed a threat to national security or for their own safety comes from a law professor, Eric Muller, of the University of North Carolina at Chapel Hill in a letter dated February 7, 2003. And I would like to, Mr. Speaker, submit this letter into the record at this point without reading its full content. However, most importantly though, we must remember that the Commission on Wartime Relocation found that it was not a military necessity that the Japanese American community be rounded up from the west coast, but it was rather based upon race prejudice, war hysteria, and a failure, and I will repeat, a failure of political leadership. This was probably the largest single act of racial and ethnic profiling conducted by our government in modern times.

True to the democratic process, however, our Nation has been able to look back and admit errors from its past. I can think of no greater evidence to show why the United States, with all its flaws, still is looked to worldwide as the Nation with the strongest and fairest form of government. By admitting that the government did wrong in its treatment of its citizens and legal residents who were aliens during World War II, Congress and the President reaffirmed our Nation's commitment to the principles founded in the Constitution. However, we must always be vigilant in the protection of our civil lib-

erties, and in this time of tension as we wage a war against terrorism, we must again reaffirm our commitment to the principles in the Constitution. While national security is always a paramount concern for those of us making the laws as well as executing and interpreting the laws, we see that there are those in government who continue to pursue policies once again that target our civil liberties.

I find it disturbing that none of my colleagues on the other side of the aisle have come out against the statements of this gentleman from North Carolina. But now more than ever, we must strive to balance our cherished civil liberties with the need to protect our homeland. Finding this balance is the enduring lesson that the Day of Remembrance resolution teaches and the lesson that cannot be lost on our Nation's policy makers and our citizens.

Mr. Speaker, I yield to the gentleman from Hawaii (Mr. CASE) who represents probably a good portion of the population not only in the mainland, the U.S., but also in Hawaii.

Mr. CASE. Mr. Speaker, I thank the gentleman from California for yielding, and I bid him and my colleagues here in the House a very fond aloha from my home State of Hawaii.

As the gentleman has noted, my home State of Hawaii is a State that has a tremendous representation of people of Asian descent. Pacific islanders and Asians make up more than 50 percent of the composition of my State. So in areas of ethnic issues, we are particularly sensitive for both our history and for our modern day; and my State is a State that is very proud of many things, many things about it, from our fantastic environment which so many people have enjoyed, to our native Hawaiian culture which has brought really to the world a spirit of aloha, a spirit of how to live together in harmony with both nature and with each other.

But I think the one thing that we are the most proud of in Hawaii and certainly that I am the most proud of in Hawaii, as somebody whose family goes back for four generations there, is our multiethnic tradition. We are again easily the most diverse ethnic composition of any State in the entire country. No ethnic group of the many that we have in Hawaii has a majority. The highest ethnic group in Hawaii has only about 26, 27 percent; the second highest, 24, 25 percent. So we are very conscious of our relationships with each other from an ethnic perspective, a State where over 50 percent now of all marriages are multiethnic marriages; over 50 percent of all births are multiethnic births, including my own children who carry the blood of eight separate ethnic groups in their own veins and carry it without anybody giving any thought to it whatsoever; and where Americans of Japanese ancestry have long been a very significant minority in our history.

So for all of us in Hawaii, all of us, whether we are of Japanese ancestry or

Caucasian ancestry or Portuguese ancestry or Chinese ancestry or Korean or some of the more recent immigrant groups such as Marshallese, Laotian, Vietnamese, Thai, when we read of comments by one of my colleagues on the internment of Japanese Americans during World War II, the Chair of the Judiciary Subcommittee on Homeland Security, the very subcommittee that is being called upon to make judgments on behalf of all of us in this country on matters of internal security, how we treat our citizens during a time of war, our reactions range from puzzlement, frankly, in some cases to outrage. And, Mr. Speaker, I must confess I do not really know myself what to make of those comments, because those thoughts expressed are so foreign to my own thinking and to the thinking of those in my State.

And as I went back to my district over the district work period and talked to my constituents, they brought up these comments. It was not really always a matter of outrage, although some were outraged. It was more a matter of puzzlement. What was it that was occurring? What was it that this colleague was thinking? What exactly was it? Was it just a slip of the tongue? We all make slips of the tongue, and we all are willing to forgive a slip of the tongue. Was it ignorance of the facts, or was it a reflection of more deliberate thinking? And unfortunately we do not know which one it is because, to this day, there has been no good explanation offered.

Personally I am willing to accept, and I think most of the people in my State and perhaps in the country are willing to accept, that it was ignorance; willing to accept, as my State legislature right now is resolving, that what is needed here is not any kind of accusations, not any kind of harsh words. What is really needed is education and sensitization to the fact, and that while we need to get beyond this specific incident, nonetheless it again tells us that we must remember that sometimes well-intentioned people can act inexcusably, out of simple ignorance, and that by constant remembrance we can avoid repeats.

So I want to remember today what happened in my own State during the time of the Second World War, during the time when 100-some-odd thousand-plus Americans of Japanese ancestry were rounded up and interned in internment camps on the U.S. mainland. I want to remember what happened in Hawaii because that is a part of this story that is not often told. What happened in a State where 37 percent of the population on December 7, 1941, 37 percent were Americans of Japanese ancestry? What happened in a State which was the very site of the attack that put us into World War II? Again 37 percent, and this was not just an isolated population on the mainland. There were a number of Americans of Japanese ancestry mostly living in the smaller communities, not always but

mostly. They were not quite as integrated into the society. In Hawaii it was a full integration. We had lived there. They had lived there for over 100 years. For decades they had been fully integrated into the society. In 1941 many were already serving in our U.S. Armed Forces. They had already been drafted. They were already serving in the famous 100th battalion, which was formed out of draftees prior to World War II, including my own former boss right here in this Chamber, my political mentor, the former U.S. Congressman and U.S. Senator from Hawaii, Spark Matsunaga. They were the vanguard of what became a legend in U.S. military history in the second world war because the 100th battalion and later the 442nd regimental combat team, which later merged, in which 3,000 Americans of Japanese ancestry from Hawaii volunteered, a unit which went on throughout the Second World War to become the most decorated unit for its size in the entire history of the United States military; a number of medals of honor including my colleague, the senior Senator from Hawaii, Daniel K. Inouye; a number of Distinguished Services Crosses, Silver Stars, Bronze Stars, French Croix de Guerres; 649 killed in action, 67 missing, 9,486 Purple Hearts.

These were people obviously that were dedicated to their country, and yet on December 8, 1941, 1,500 of them were rounded up, Japanese ancestry Americans living in Hawaii were rounded up and interned in Hawaii on Sand Island and interrogated. Some were released; but some, over half of them, were sent to the mainland and interned for the duration of the war. And not only did it affect them, it affected their families. In many cases they went to the mainland to become interned. Why? They were American citizens. Their families had lived in the United States in Hawaii. They were interned because they were educators, because they were Buddhist priests, because they were business leaders. If they were in positions of leadership in the Japanese community in Hawaii, they were suspect just because of that. And there was more than one case in which a son would serve his country in World War II on Anzio and other locations up and down Italy and France while his own father was interned in an internment camp in the United States. Imagine a son, imagine the dedication to a country of a son going into battle when his own father was interned. Yes, it was not as serious as the mainland Americans of Japanese ancestry.

And there were heroes in this story, and one of the heroes was the FBI agent in charge in Hawaii during this period, a gentleman by the name of Robert Shivers. It is a little known fact that Robert Shivers arrived in Hawaii in 1939, probably, we would suspect, with perhaps the same sentiments as others that had come from the mainland to a strange place where Americans of Japanese ancestry were

38 percent of the population, at a time when the United States knew it was going to war with Japan and all Americans of Japanese ancestry really were suspect in some people's eyes, and yet only 1,500 were rounded up. Why was that? Because Agent Shivers spent 2 years trying to understand the community, because he went out into the community. He said that after conferring with people in Hawaii, citizens that had lived in this multiethnic society, he said this: "It was not until I conferred with you that I began to understand the complex racial conditions in Hawaii. You gave me a group of loyal citizens of Japanese ancestry who proved invaluable in helping me shape my course." And it is obvious to all of us now in retrospect, after the action of this Congress in issuing an apology and in the actions to evaluate the work of our government during the Second World War in cases such as Korematsu, it is obvious that had Agent Shivers not been the person that he was, no doubt Americans of Japanese ancestry in Hawaii would have met the same basic conditions as occurred to their colleagues and their family members on the mainland.

So, Mr. Speaker, I give these words. I give these words because again I say that what we can all take out of the occurrence of the remarks by our colleague is not to drag him over the coals. I think we are way beyond that. That is not what this is about. This is simply an opportunity again for us to remember, all of us to remember, that good people can sometimes have thoughts that are just not right, and it is simply a matter of not knowing.

So we can look to history in this case. We can look to the history of the Americans of Japanese ancestry. They were not unique. The same thing happened to Americans of German ancestry, Americans of Italian ancestry. And we can say to ourselves that there is absolutely no reason in the whole world why the same thing could not happen again under similar circumstances to ethnic groups in our country other than those three.

So as we consider this resolution which I have been very proud to co-sponsor, as we consider the motivation behind the resolution, and I commend the gentleman from California (Mr. HONDA) for introducing this resolution, let us consider again that this is a time simply for us to all pause, let us take a deep breath, and let us just remember what happened and think to ourselves is there any reason whatsoever to assume that without constant vigilance, constant caution, and constant remembrance could it not happen again? That is the lesson for us to carry outside of this unfortunate occurrence, and that is the lesson that my own home State of Hawaii can offer to our country and the rest of the world.

I thank the gentleman for yielding.
Mr. HONDA. Mr. Speaker, I thank the gentleman from Hawaii (Mr. CASE) for his words and the experiences that

he has shared with us because I think that at times the lesson is sometimes missed, that Members from Hawaii who are of Japanese ancestry volunteered for the service with the 101st battalion and joining forces with the 442 here in the mainland.

□ 2045

One of the things that they learned, the Japanese Americans from Hawaii, was that when they became part of the 442 with the mainland Japanese Americans, they often wondered why they were different from the Japanese Americans from Hawaii, because they grew up on a pretty predominant and highly populated island with a lot of Japanese Americans, whereas the Americans of Japanese descent on the mainland were a little different. Their attitude and view of life was different.

It was not until some of the Members from Hawaii visited the camps, along with their colleagues whose parents were incarcerated, that they truly understood the unfairness and injustice of executive order 9066.

So we say we did not know, and so it is that House Resolution 56 is to educate and to further educate our communities in this country and also other members of this globe.

Mr. Speaker, if I may ask the gentleman from Washington (Mr. INSLEE) if he would mind sharing some of his thoughts.

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, I thank the gentleman for his leadership on this issue, bringing this to our Nation's attention with this resolution. The reason I have come to join the gentleman this evening to talk about this important national matter is I represent the first district in the State of Washington, in the Seattle area; and I live in a place called Bainbridge Island, a little island directly across Puget Sound from Seattle.

Back in the 1940s, pursuant to an order of the American President, the United States Army marched 277 Americans of Japanese American descent down to the Taylor Landing dock and at bayonet point essentially sent them to camps for the duration of the war.

These were our neighbors on Bainbridge Island, good people, great people, some of whom still live on Bainbridge Island; and we think it is appropriate and important for the Nation to remember that injustice, that mistake, where an America did succumb to fear, and this day of remembrance is one way to do that.

The reason I think it is important for America to do that is two-fold: first to honor those individuals who went through this experience, but had their sons and daughters serving in the military during World War II, and then returned, a lot of them, to Bainbridge Island to become important parts and leaders of the community, and we want to honor their commitment and con-

tributions to our national and local communities.

But I also think it is very important for us in the future for us to learn from this experience, because we are undergoing some similar strains right now. We understand what fear is again like, like we experienced in the 1940s; and it is very important for us to realize what can happen if you succumb to fear, what can happen to civil liberties, what can happen to civil rights, what can happen to your basic freedoms. So learning from that experience is important that we not replicate it and we not again give in to our sense of fear that the Nation may hold.

I should alert the gentleman, as you know, we are doing some things on Bainbridge Island. We are starting a national park, a national memorial, we hope, in a bill the gentleman helped pass the last session of Congress that the President has now signed, which will memorialize this event at the very site where the very first Japanese Americans were interned. These were the first Americans who were subjected to this, the very first detainees.

Some great people on Bainbridge Island, a fellow named Clarence Moriwaki is doing tremendous work, Frank Kinamoto, to memorialize this event and to teach Americans for future generations about what can happen when we succumb to fear. So this is one part of telling this story, and I am happy to be able to.

I will tell you just one good story, if I can, about Bainbridge Island, though. There was a lot of sorrow and sadness, and I have always been so impressed with people who went through this experience but came home willing to be good Americans and leaders in their local community and got over, maybe did not get over, but surmounted the sense of bitterness that certainly must have been there. I have just been so admiring of that sense of courage and true commitment to America.

But another little spirit that I saw, we dedicated a county park to a place where a radio interception facility was on Bainbridge that actually intercepted the December 7 radio transmission to the Japanese ambassador in Washington D.C.

One of the fellows intercepting those messages on the day that my neighbors were interned, he took a day of furlough and went down to one of his buddies to get his refrigerator and his pickup truck to make sure he protected them all during the war for his pal. He took a day's furlough to do it. That is part of the American spirit too.

I want to thank the gentleman for his leadership to make sure that America knows this story.

Mr. HONDA. I thank the gentleman from Washington, especially for his leadership and having set aside Bainbridge Island as an educational activity and also in memory and commemorating the folks who were interned from that community.

Also I think it is appropriate to mention that there have been many stories

that come to light when we talk about the day of remembrance, one of which is the story of a young man by the name of Ralph Laso from East L.A. whose friends were Japanese Americans, and when they were being incarcerated he argued this is not right; they are not enemies. He himself decided to join a family and to be incarcerated himself along with the family.

But there are many other stories that can be told if we move forward with the resolution on the Day of Remembrance.

I would like to ask the gentlewoman from the gem of the Pacific, the great territory of the Island of Guam (Ms. BORDALLO), to share her thoughts.

Ms. BORDALLO. Mr. Speaker, I thank the gentleman for his very, very wonderful description of my island home.

I am pleased to join my colleagues this evening in this most important dialogue. I want to thank our colleague, the gentleman from California (Mr. HONDA), for his leadership on these issues, and in particular for his sponsorship of House Resolution 56, which seeks to increase our awareness and further public understanding of the internment of American citizens during World War II.

The internment of the Japanese Americans, German Americans, and Italian Americans was a grave injustice and a violation of their civil rights. There are lessons to be learned from this experience, and these lessons cannot be learned without discussing and understanding the circumstances surrounding the enactment of executive order 9066.

We must be cognizant of the fragile nature of our civil rights, which have been won on the battlefield and in the halls of Congress. We must always be mindful of the threats to our freedom and security, and likewise we must be mindful of how our own perceptions of our fellow Americans and our own prejudices affect our very freedom.

These are not academic issues in a history book. These are experiences that must be understood in the context of the current debate on homeland security. It is now more important than ever because of the many issues that have arisen concerning security in the aftermath of September 11.

As we reflect on these events of World War II, we are appalled at our actions toward fellow citizens. We must be mindful that our actions today will be subjected to the same hindsight. As we wage the war on terrorism and face the possibility of war with Iraq, the need for awareness and education is especially important. We must ensure that we have an understanding of who among us is the threat, not based on race, color or religion, but based on facts that will withstand the scrutiny of history. As we fight for our freedom and security, let us not cast aside our own humanity.

Mr. Speaker, as difficult as it is, we must come to terms with our national

mistakes, just as we celebrate our national achievements. We must acknowledge our misgivings in the past if we are to strengthen our ability to avoid mistakes in the future.

As President Ford said in 1976 when he formally rescinded executive order 9066, learning from our mistakes is not pleasant, but we must do so if we want to avoid repeating them.

Mr. Speaker, I thank the gentleman for this opportunity to be here tonight to support this resolution.

Mr. HONDA. I thank the gentlewoman. The gentlewoman from Guam (Ms. BORDALLO) continues the great legacy of Guam, of social justice and constitutional protection.

Mr. Speaker, if I may yield to a colleague of mine from Santa Clara County, a very personable person, someone who always does not mind speaking up when things need to be addressed, a long time friend and colleague, the gentlewoman from Santa Clara County, California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, I thank the gentleman from California (Mr. HONDA) for organizing this Special Order.

Mr. Speaker, on February 19, 1942, then President Franklin D. Roosevelt issued executive order 9066 authorizing the Secretary of War to define military areas in which "the right of any person to enter, remain in or leave shall be subject to whatever restrictions are deemed necessary or desirable."

By the spring of 1942, California, Oregon, Washington, and Arizona were designated as military areas. In May of 1942, Santa Clara Valley Japanese Americans were ordered to "close their affairs promptly and make their own arrangements for disposal of personal and real property."

Official government fliers were posted around parts of California instructing families to report to the area's assembly center, the Santa Anita Race-track, with just the bare necessities, leaving behind their homes, their lives and most personal belongings. Because permanent camps were yet to be built, the Santa Anita Racetrack was home to Santa Clara Valley's internees for at least 3 months. Santa Clara Valley Japanese Americans were forced to live in horse stables until a permanent camp was built for them.

In America, 110,000 Japanese Americans and others, not aliens, people of German and Italian descent who were Americans, were evacuated from their homes and incarcerated throughout the duration of the war. Three thousand of those interned were Japanese Americans from Santa Clara Valley.

By the fall of 1942, most Santa Anita internees were transported to a camp far away from home, the Heart Mountain Internment Camp in northern Wyoming. Most remained there until the end of the war, 3 long years later.

The horror for Santa Clara County Japanese Americans did not end there. Upon release, approximately 7,000 people moved back to Santa Clara County.

Most had no shelter, food, money, much less a job. Some returned to find their homes looted and destroyed. The San Jose Buddhist Church offered what it could, shelter and hot meals for most families. In Santa Clara County, the family of Bob Peckham, later to become Federal District Court Judge Bob Peckham, took title to the property of some Japanese American neighbors and was able to preserve that property and return it at the end of the internment so some people in our area did not lose their homes and businesses.

All of this happened before I was born, but I remember very well learning about it even before it was added to the history books. My mother was a young woman in 1942. My dad was in the Army, and she was building airplanes at the Douglas aircraft factory for the war effort.

She told me when I was young about driving past the race track and how ashamed and guilty she felt. There were people locked up at the race track living in horse stables who she knew had done nothing wrong. People who had been her neighbors had been rounded up suddenly and taken away.

My mother told me how helpless she felt. She knew what her government was doing was wrong, but she did not know how to change it. She felt powerless, but she also felt guilty and ashamed because of what the United States Government had done. She was a life-long Democrat and cast her first Presidential vote for FDR, but she never agreed about what he did to her neighbors.

There was no apology, no financial support, no help from the Federal Government until many years later. On February 19, 1976, President Gerald Ford formally rescinded executive order 9066.

□ 2100

And in 1980 Congress funded the adopted legislation, establishing the Commission on Wartime Relocation and Internment. August 10, 1988, the Civil Liberties Act was signed into law, authorizing payments of \$20,000 to each person that suffered from internment and established the Office of Redress to identify, locate, and pay these individuals. Most importantly, an apology was finally given.

By then, my neighbors and my parents' neighbors who had been unjustly incarcerated, our friend, Ed, Jimmy, dad's neighbors, Ted, Raiko, Sam, and many others, received at long last an apology. Some lived long enough to receive the compensation provided for in the law.

These efforts were celebrated in the community of Japanese Americans. But they were also celebrated in the broader community, because Americans who were not incarcerated, like my mother, felt the shame and the guilt. And while an apology could not undo the injustice and the compensation did not fully cover the loss, it helped that our country admitted the mistake and tried to make amends.

I am proud to say that on February 5 of this year, my colleague from Santa Clara County (Mr. HONDA) introduced H. Res. 56, a resolution supporting the goals of the Japanese, German, and Italian American communities in recognizing a national day of remembrance and to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II. This resolution has been referred to the House Committee on the Judiciary on which I serve and currently has over 60 cosponsors.

Today, I support the resolution of the gentleman from California (Mr. HONDA) to recognize February 19 as a Day of Remembrance. It is the least we can do, spend one day per year reflecting on the horrors of internment, remember those who suffered, and work to find ways never to repeat that page in history. I would urge the chairman of the Committee on the Judiciary, my colleague, the gentleman from Wisconsin (Mr. SENSENBRENNER), to quickly schedule action for this important resolution so that the country can, once again, engage in healing, and I honor my colleague, the gentleman from California (Mr. HONDA) for his efforts in helping all Americans to heal.

Mr. HONDA. Mr. Speaker, I thank the gentlewoman from Santa Clara County for especially sharing the experience of her interactions with her mom and the way her mom felt when the Japanese were taken away, and then the sense that this country can make amends for the wrongs that have occurred. The signing and the final recognition of wrongdoing by this government through the Civil Liberties Act of 1988, signed by President Reagan when he said, upon signing he said, "This is a great day for America." And when President Ford rescinded 9066, he indicated, as the gentlewoman from Santa Clara said, that it was an ordinance that should have never been there.

The whole point of the Day of Remembrance resolution is about learning, is about being persistent about the lessons that we have learned from the Japanese American experience that is really an American lesson on the Constitution and is also a lesson of the American character, where, upon reconciliation, there is a healing. There is a healing among not only those who were incarcerated, but also healing among those who were affected but maybe not necessarily incarcerated. So victims are both those who were directly victimized and those who were indirectly victimized by a bad action of our government.

Also, the further learning, when we talk about the Day of Remembrance, is that other communities get to reflect upon their own experience at that time and project into the future whether this kind of thing should happen again.

For example, a few years ago when we did this in the State of California, there was also a movement and discussion among the Italian communities

and there was a reawakening of the experiences that they experienced in World War II when Executive Order 9066 was applied, was applied to Italian Americans and German Americans. And upon reflection, they found out that they too were subjected to embarrassment, to ridicule. One of the stories that came out, because of the order by General DeWitt that no persons who are aliens in the United States may live west of highway 1, which is along the coast, forced families to separate themselves, Italian American families who were engaged in the fishing industry whose parents and grandparents had to live in tents across the road while the children lived in the homes. It was things like this they started to remember and started to chronicle among themselves and to teach their children that these kinds of actions by government is not acceptable. Upon the receipt of the apology, we found that there was healing and there was teaching going on among, not only among themselves, but among the greater population of this country.

As a teacher, I want to reemphasize the necessity for this resolution, that it continues to teach us the old maxim that those of us who do not learn from the mistakes of our past are doomed to repeat them.

So in today's current light, I just want to personally reemphasize that national security is my highest priority, is our highest priority, and I support efforts to fight our war against terrorism. But we also understand that in doing so, we must not have a failure among our political leadership, we must not fall back on more hysteria, we must not fall back to racial prejudice and discrimination and profiling.

So today, it is critically important, more than ever, to speak up against possible unjust policies that may come before this body, and we must also be able to speak to it. And it is even more important than ever to educate Americans of the Japanese American experience during World War II, as well as the experience of other groups like the Japanese Latin Americans who were extricated from Latin America, brought over here, had their documents taken away from them, and becoming individuals without a country to be used as pawns in exchange for POWs. And then the German and Italian Americans who were also victimized.

In order to learn the important lessons from our own history, I did introduce H.R. 56, the Day of Remembrance resolution here in this body. Teaching the lessons of those dark days is more important today than it ever was, remembering Executive Order 9066, signed on February 19, 1942 and then rescinded on August 10 of 1988, there are many events that flowed from those two orders and that we must continue to learn from our history.

There is a maturity in this country that I am very proud of. That maturity says we can learn from our mistakes of the past and we can also teach others

of our lessons that we have learned from our past. We have learned that the Executive Order 9066 was not signed out of military necessity, was not signed out of national security, was not signed out of personal safety and security of the Japanese American, but the Commission on Wartime Internment and Relocation of Civilians said, and they concluded, that it was a result of racial prejudice, war hysteria, and the failure of political leadership.

Today, as we heard from our colleagues today, Mr. Speaker, that this leadership must not fail again. and to that end, we must continuously teach ourselves and reteach ourselves and remember the lessons of the past so that we do not repeat them again. It is a country like the United States, it is a country like this country that my father, although he was interned with the rest of his family, and although he even volunteered for the military intelligence service to teach language to the naval intelligence officers, that he held this sense of loyalty to this country, even though the families were incarcerated. And he taught us that in spite of these experiences, that we, his children, must be a good reflection of his loyalty and that we, as we grow up, must become more American than anybody else that we could run into, and that we must be 110 percent American. Part of that Americanism is to never, ever make the same mistakes again.

We learned from that experience in 1942, and we learned from the experience of 9/11, that this Constitution of this country is never tested in times of tranquility, that our Constitution is always tested in times of trauma, tragedy, terrorism, and tension, and that the very principles of our Constitution need to be, continuously need to be taught until it is ingrained in our own character, so that every decision we make as a citizen, as adults, as children, as students and as policymakers, that we will always be true to the principles of our Constitution. For it is for those reasons why people around this world fight to come to this country and be part of this country, struggle to be a part of this democracy, because they know that the protection of this Constitution is the American dream. The protection of our Constitution is that which our forefathers and our veterans have shed their blood and sacrificed their limbs and lives so that our Constitution may live and really be reflected in every action that we have, not only in this body, but by every action of every citizen of this country.

So, Mr. Speaker, I thank my colleagues for this opportunity to bring Resolution 56, the Day of Remembrance, before this body.

GENERAL LEAVE

Mr. HONDA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Mr. Speaker, I rise to join my dear friend and fellow Californian Congressman MIKE HONDA in support of H. Res. 56, commemorating the suffering of the Japanese-American, German-American, and Italian-American communities during World War II by recognizing February 19 as a National Day of Remembrance. It is my sincere hope and belief that by establishing a National Day of Remembrance, Congress will increase public awareness of the wholesale exclusion and internment of individuals and entire families in this country during World War II.

Following the issuance of Presidential Executive Order No. 9066 on February 19, 1942, tens of thousands of Americans were evicted from their homes, rounded up, and sent to internment camps across the western United States. In San Francisco, this program began in earnest on April 1, 1942, when all persons of Japanese ancestry—whether they were American citizens or not—were notified to report for “relocation.” In my own district, 7,800 people were assembled against their will in the San Bruno Tanforan Racetrack. Seventy thousand eight hundred human beings were confined there for months, living in horse stables. Today, we realize that such a policy was outrageous.

But Mr. Speaker, I submit that it is not only in retrospect that the internment of the Japanese appears absurd and unacceptable. As early as 1946, Harold Ickes, President Roosevelt's own Secretary of the Interior, characterized the mass detention of Japanese Americans as “mass hysteria over the Japanese”; he noted that “we gave the fancy name of ‘relocation centers’ to these dust bowls, but they were concentration camps.” Mr. Speaker, the way we treated Japanese Americans was inexcusable. Moreover, any purported national security benefit derived from the government's internment policy was vastly outweighed by the enormous human suffering and the violation of civil liberties that policy caused and the hatred it sowed.

Mr. Speaker, I submit to you that the internment of Japanese Americans during World War II is one of the most ignominious and repugnant acts our nation has committed. Our government has taken cautious and gradual steps toward recognizing the insidiousness of its World War II internment policy, but it is not enough to apologize or to pay reparations for the wrongs committed by the United States government during that period. The internment was so evil that its commemoration merits more than the customary apologies and financial compensation. Indeed, we ought to be reminded on a regular basis of the dangers of fanaticism, and that is what this resolution is about.

In addition to making amends for our country's inhumane treatment of Japanese Americans, Mr. Speaker, we must acknowledge the anti-democratic policies adopted by our government against Italian Americans and German Americans. Though their communities were not rounded up en masse as the Japanese Americans were, in many cases property owned by Italian Americans and German Americans was expropriated, and Italian- and German-American citizens were unlawfully detained and questioned, their patriotism ignored

and their civil rights denied. While the Wartime Violation of Italian Americans Civil Liberties Act of 2000 represents an important measure of progress on this issue, it is my heartfelt belief that more needs to be done.

And that, Mr. Speaker, is why it is my privilege to proclaim my support for my dear friend Mr. Honda's bill, which would make room for a day of mourning, reflection, and remembrance of the chain of egregious injustices against Japanese Americans, Italian Americans, and German Americans that was officially begun by our government on February 19, 1942.

Mr. Speaker, this bill takes a day that is already a day of mourning in the Japanese-American community and reconsecrates it as a day of American remembrance. It also acknowledges the real and acute suffering of the Italian- and German-American communities during the war. I urge my colleagues to follow their conscience and join in commemorating this American tragedy.

POSSIBLE WAR WARRANTS RESPONSIBLE PRESS

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. TANCREDI) is recognized for 60 minutes.

Mr. TANCREDI. Mr. Speaker, we have had a number of discussions in the House over the last several days dealing with the issue of the possibility of a conflict in the Middle East and the efficacy thereof, and whether or not it is in the national interests of the United States to embark upon this venture, whether a preemptive strike by the United States is justified, whether or not our sending men and women into harm's way is appropriate. And this is the place, of course, where that debate should be carried on. Throughout the United States, of course, around water coolers and in offices and around dinner tables, the debate continues. It is certainly appropriate that it goes on here.

I just want to reflect upon something that happened not too long ago in Denver, Colorado when I was asked to speak at a rally, and the rally was organized by people who wanted to show the armed forces, especially the Armed Forces of the United States, that the American people believe in them, that the American people trust them, that the American people admire and respect them, and that we know we place our safety in their hands. We know that we place this great Nation in their hands, and we know that, in fact, we place the western civilization, in fact, in their hands. Its survival will be determined by the actions of people like those that we are sending off to the Middle East.

So it was billed in the newspapers as a pro-war rally. And I was asked to speak at this rally, and I indicated to the people in the audience that I thought that it had been misidentified by the press. And that in fact I knew no one, I really cannot tell my colleagues that I have ever met anyone who was, in fact, pro-war, just pro-war.

□ 2115

I do not know anybody like that. There may be people out there who live for the idea of risking life and limb or taking someone else's in the act of war, but I just do not know them; and I do not know that anybody at that rally could have been so classified or identified. Nonetheless, that is the way the press billed it, a pro-war rally.

As I said, I think it has been mischaracterized. I know why the organizers asked me to speak and why I am here, because it is a pro-America rally. I am here, as I said, to lend my voice to those that have already spoken who have indicated their strong support for the actions of our government and for the people who are going to serve and are serving in the military.

But I said that also it was interesting to me because there were many other rallies that had been held up to that point in time, certainly many here in Washington, many on the Mall, and they were organized for the most part by the Workers' Party and similar groups. The people who spoke at these rallies were people who said little about the issue of the advisability of peace in the Middle East, but they did say a lot about what was wrong, in their minds, anyway, with America.

I quoted from some of the speeches that had been made right here in Washington on the Mall at these rallies. The quotes were those that reflected the sort of atmosphere that prevailed at these "pro-peace rallies." I suggested that they were also misidentified by the press as pro-peace rallies, just as we were misidentified by the press as a pro-war rally; and that most of the discussions and most of the people exhorting the crowd were not really interested in just the concept of peace and the need for it, but they talked mostly about the problems with America: that America needed "regime change"; that America needed a "revolution"; that President Bush was, well, I will not go into the kind of epithets that they tossed out against the President and against our system. Also, they led chants of Allah Akbar, Allah Akbar, at these rallies.

When we read what they said, when we read this, we came to the conclusion that there was something a little bit different; that maybe it was not just a pro-peace rally, but that perhaps their real concern was America itself, this Nation and everything it stands for. I indicated that I believed that those rallies could be more accurately identified as anti-America rallies.

Now, not everyone, of course, who attends such a rally could be identified as anti-American. Many people went there, I am sure, because they just simply wanted peace and believed that the foreign policy of the United States vis-a-vis Iraq was inaccurate, was incorrect.

But the organizers of the rally and the people who spoke at these rallies were for the most part unconcerned with the actual issues that we are con-

fronting here with regard to Iraq, and they were much more concerned with what they considered to be the problems with the United States, with our system of government, and essentially with who we are.

Now, shortly thereafter the newspapers in my State carried several stories about the rally, and about what I said. I was characterized as someone who said, if you are not supporting the war effort, you are un-American. Of course, that was not accurate; but it is certainly not the first time that my statements or anyone's, especially those of us here in this body, have been mischaracterized in the press.

But it made me think about the way in which so many Americans have been inclined over the last several decades, really, to look first at what America's warts are, America's problems, America's shortcomings, without being even the slightest bit interested in what America's values are and what America represents for the world.

I was intrigued by a number of things in this particular debate, not the least of which is the attention we pay to people like movie stars and entertainment, people in the entertainment business. We focus on them.

As I was coming over here, I was listening to something that was referencing an actor. He was on the radio, and I think it was simulcast on television. I got to see just part of it, actually, before I came over. This actor was talking about what his opinions were with regard to the war. He was, of course, very critical about the United States and our actions.

Now, this particular actor has every right to, of course, express his opinions, as does the postman, as does the waitress, as does any other citizen of this country. What is intriguing to me is the attention that we pay to that particular point of view by these people, who admittedly have no particular expertise that differentiates them from any of the people that I just mentioned in their walks of life: the waitress, the postman, the cab driver.

As a matter of fact, I remember reading something a little bit ago about a cab driver here in Washington, D.C. when ex-President Clinton was addressing a group at Georgetown University right after 9-11. Mr. Clinton suggested in this particular speech that the reason the United States had suffered such a blow from these terrorists was because of the way we had treated Native Americans in the past and because of the history of slavery in the United States. That is why we essentially deserved what we got. This is from an ex-President.

Now, it is understandable that the media would cover his interpretation of the events. He was, as a matter of fact, of course, an ex-President of the United States, emphasizing here, to my great relief, the prefix "ex" before the word "President."

In Washington there was a cab driver, and by the way, this was reported in

the press, of course. I read this story about a gentleman getting into a cab. He saw on the front seat of the cab the newspaper, and it was turned to this particular article about the President's speech, about the ex-President's speech.

The person getting into the cab said to the cab driver, I see you read about President Clinton's speech. The cab driver said, yes. He said, what did you think of it? The cab driver said, I thought it was baloney. He said, these people do not hate us for what we have done wrong; they hate us for what we do right.

Now, I heard that, this particular little vignette, I heard it in a speech that was given not too long ago by the individual who was actually the person getting into the cab. I thought to myself at the time what an interesting and, I thought, profound observation. That was my opinion of that cab driver's observation. He said, you know, we do stuff right. We help people. We have such freedoms in the United States, freedom of speech and the press and freedom of religion, especially freedom of religion, and freedom of the sexes to vote and to share the rights afforded to all citizens; which is not, of course, the case with people in other parts of the world, people in other civilizations, who do not allow that kind of thing to exist in their societies.

This cab driver was observing that our system was better and that we do it right. That is why they hate us. That is why we got attacked. I thought, what a very profound observation.

Now, I will tell the Members that that little story, of course, appeared nowhere that I know of in the press, in the national media. Perhaps there was no reason for it to be reported, because, after all, this was a cab driver in Washington, D.C. What was his expertise? He talks to a lot of people, that is true, but not really a person that we would say, well, yes, gee, whiz, that is the guy we should listen to because of his great acumen, great experience, or whatever.

Yet, interestingly, the press pays a great deal of attention to people in the media, people in the entertainment world, I should say, who come forward with their pronouncements about what is right in terms of our foreign policy and what is wrong, actors like Sean Penn and actress, although she does not want to be called an actress because that distinguishes a gender difference, actresses like Susan Sarandon, actors like George Clooney, and this guy, Mike Farrell. The closest he has come, I think, to being involved in any sort of conflict was his portraying a doctor on the TV series called "M*A*S*H."

These people are given a lot of attention and great air time. People listen to them and say, gee, whiz, that is how they feel. I know I am intrigued by it, because of course they are all, without exception, everybody I mentioned, and far more than that in the entertainment industry, being extremely liberal,

they are, of course, opposed to our actions in Iraq.

Now, I do not remember any of them saying a thing about our going into Yugoslavia. I do not remember anybody condemning President Clinton, ex-President Clinton, for tossing missiles around when he felt it appropriate, and actually pursuing a war in Yugoslavia that was against a country that posed absolutely no threat to the United States whatsoever.

No one ever suggested in their wildest dreams that Milosevic was a threat to the United States. He was a bad guy, no doubt, but what was his threat to the United States? Yet we in fact carried out a war against him. All of these people stayed silent, if I remember correctly. I do not remember them being quite so vocal, or vocal at all during that period of time.

But this war against a madman in Iraq, against a person that I have never heard anyone, even these people, suggest is a reasonable individual with whom we can "do business," these people rail against the United States and we pay attention. The media pays attention.

But I suggest that they have absolutely no more cache on this issue than the cab driver here in Washington, D.C. I happen to, of course, agree with his interpretation, but I do not think I ever saw him on television talking about it. He has exactly the same, or in fact one might say, because of the many people that he sees during the course of the day, and here in Washington, D.C. he may be transporting people in various capacities that discuss world issues, so he may be more politically astute than anyone in Hollywood. Yet, of course, we will never be talking about him because he is not a national figure, and because he happens to actually take a different point of view than the liberal left-wing anti-American sentiment that is expressed by the folks I just mentioned who are actors and actresses, noble profession that it may be.

Certainly, I am not capable, not qualified, to make any sort of comment that anyone would take seriously about their acting abilities, or about the movies in which they appear. I do not know. I must admit, I had to ask somebody in the Cloakroom for some of these names, because I remembered some of the movies, but I could not remember the names of the individuals.

□ 2130

And so if I were to go out and talk about what their movies were like, I mean I have that right to express my opinion and to either pay for the tickets or not, but I do not expect that the press would surround me and say, What do you think about the qualities of the movies these people make? Because, of course, it is of no consequence to the world what I think about their abilities. Why would it be of consequence to the world what they think about whether or not the United States

should go to war? They are entitled to their opinion, absolutely, but why does anyone pay attention to it is the question I guess I raise.

And it gets me to a point, you know, as I sat here listening to the discussion from the gentleman earlier about his resolution that I sort of recognize some of the fault of the United States in terms of the way they treated Japanese Americans or my ancestors, Italian Americans or German Americans who were, in fact, interred just like Japanese Americans were, and what a bad decision it was at the time. Certainly I will not argue that it was a good decision. But I remember I just started thinking to myself how interesting it would be if one were to run a resolution saying is it not great that the United States of America, this great republic, this great system, unique really in the world, is such a place in which the children of people who were interred can become Members of the Congress of the United States, and how wonderful it is that we can reflect upon our past and take the actions that are appropriate in terms of apologies and that sort of thing. But again, few, if any other country, would ever, ever think about that. And I wonder why we should not celebrate that aspect of America as much as we condemn and dwell upon the wars.

But there is a philosophy in this land that has permeated our society, certainly permeated the media, the entertainment industry, the textbooks in our schools, the academic communities in the United States. It is sometimes referred to as multiculturalism, cultural relativism, and it has achieved a stature far, far higher than it deserves from my point of view. It does permeate American society and it is reflected by the kind of things that we see and hear all of the time, from people who are not just looking at the United States with some degree of objectivity and making determinations as to the good things we do as opposed to the bad things we do and what is good about America as opposed to what is bad.

They only focus on what is bad not just on America, but about western civilization, of which we are, of course, the leader. And they dwell upon and they are obsessed with the problems, the mistakes, the inadequacies of western civilization and of American society in particular. And we teach our children that there is really nothing unique about America, that it is just one of those places people happen to be, nothing special. In fact, in fact, if it is different at all, it is different because of how bad it is, how ugly is its history: slavery, mistreatment of Native Americans, mistreatment of immigrant groups, all of which of course have some degree of truth, but pale in comparison to what we have given in this world, pale in comparison to the wonderful things western society, civilization, and America in particular have given to this world. Certainly the rule

of law, certainly the idea of the value of the individual, certainly the idea of the freedom of worship.

But these things are never discussed as values. They are never taught to our children. Certainly in the last 20 or 30 years anyway, they are not taught to children as being values worthy of their allegiance. It is surprising to me sometimes that there are still those people, and thank God for it, who are willing to risk their lives for what so many of our forefathers gave theirs. And so it is this peculiar obsession that so many have with the negative side of America and of western civilization in general that propels them, I think, to the street; even to the point of taking the side of someone like Saddam Hussein who has exhibited the most, the same characteristics, the same traits and has committed the same atrocities as some of the greatest devils that have ever beset the world in human form, including Stalin and Hitler.

But people are so wrapped up in this anti-American, anti-western civilization, multiculturalist concept that they can not bring themselves to think about the possibility that action, even to the point of taking violent action in the form of a war, may be necessary to rid this world of an evil so great that it threatens the very existence of our own society; because, of course, to many of those people, evil is not something that really exists in the world; that everything is relative and the other forms of government, the other systems of governments, are all equally good or equally bad, but certainly nothing is worth fighting for or risking one's life for.

Now, the reason why I address that issue tonight is because it does play a role in what I think is another huge problem that we have face in this Nation. And that is the need for our society, for western civilization to be coherent in the way in which it identifies itself and the way in which it projects its philosophy to the rest of the world. Put simply, Mr. Speaker, Americans have to know who we are, what we are all about, what are the principles that hold us together, that binds us together, and dwell on those and think about those as opposed to dwelling upon and thinking of only those things that tear us apart as a Nation and, again, as a civilization.

Because I do believe, Mr. Speaker, that it is a clash of civilization with which we are involved. I believe that western civilization is at risk. It is at risk from what we might call fundamentalist Islam, perhaps more appropriately, extremist elements in the Islamic community. And I believe that it is a war that is fought both with arms, with the force of arms in places like Afghanistan, in the Philippines and Iraq, but it is also fought with the force of ideas. And that to be successful in this battle we not only have to field the best Army which, of course, I believe we have, with the best equipment, which I believe we can provide them;

we also have to field individuals capable of defending western civilization in an intellectual arena.

It is a war of arms. It is a war of ideas. And our civilization is threatened. Our ability to actually be successful in this clash will be determined not just by the valor exhibited on the battlefield in Afghanistan or Iraq or anywhere else that we determine these brave young men and women need to be deployed, but our success will be determined by the way in which we project the ideas of western civilization and defend them. And we need to understand as a society, as a civilization, as a Nation, we need to understand who we are, what it is we are all about, where we want to go, what our history is, a common history. I think it is imperative for us to be successful.

And that is why oftentimes I take the floor of the House, evenings like this, on special orders to exhort my colleagues to think about another aspect of this problem, and that is the degree to which massive immigration into the country combined with this philosophy of multiculturalism can be and, in my estimation, is a dangerous, dangerous phenomenon.

Massive immigration into the country unchecked, massive immigration that is combined with this, that is combined with this philosophy I describe as multiculturalism does not help us develop a coherent society. It does not help us develop a strong intellectual base of support for the ideals of western civilization. It pulls people apart rather than pulls them together. We have a tendency to vulcanize our society rather than bring it together as one United States of America, both geographically and intellectually and emotionally.

Immigration is a very, very significant problem. And it goes far beyond the issues of jobs that may be being taken by people from outside the country, although that is a significant issue. And believe me, if your job has been taken by someone from another country, then it is the most important issue to you. And I understand that. But the problems that arise as a result of this kind of massive immigration combined with this bizarre and rabid multiculturalism that pervades our society are such that I think that they actually pose a great and significant threat to the United States of America and, in fact, to western civilization.

I think that the need is great for at least the debate of this topic. It is a topic that we eschewed, that we have avoided, that we have attempted to move aside because it is uncomfortable. That is true. The debate over immigration and its effect on our country at this point in its history needs to be undertaken, but is very, very uncomfortable for many Members of this body and certainly many people throughout the country. But I believe with all of my heart that debate needs to be undertaken.

There are these more esoteric aspects of it that I have tried to address here,

and then there are some very practical and very dramatic effects of massive immigration that need to be explored also.

Mr. Speaker, last week a couple of the Members of this body and several members of the Arizona State legislature accompanied me on a trip I took down to Cochise County, Arizona, which is on the border, of course, of Mexico, to observe firsthand what was happening there and to try to bring back to the people that serve in this body and to the rest of the United States a picture, perhaps a little bit different than the picture of illegal immigration that is portrayed by the local media in the various cities and States of the people of the people here in the Congress of the United States.

□ 2145

I know that in my own city, Denver, Colorado, the media enjoys the presentation of the concept of or the reality I should say of illegal immigration. It always presents the picture of illegal immigration as one of a very benign sort of concept and that the people here, those people who are identified as illegal immigrants into this country are just folks looking for a job and willing to do a job that "other Americans will not do," and that they are, generally speaking, beneficial to the country from the standpoint of our economy and from just the standpoint of the type of individuals that make up the Nation.

That is the picture of illegal immigration that is portrayed by the media in many of our districts; but if we go to the border, almost any point of the border, southern or northern border, of the United States, we will find a completely different picture, one that is hardly ever portrayed in the press. We will find a very ugly picture, a picture of violence, a picture of criminal activity revolving around the importation of illegal narcotics, a picture of threat to the national security of the United States as a result of having porous borders across which people are coming, some of them with the intent to do great harm.

That is a different picture entirely and one, as I say, we hardly ever see; but it is absolutely as real as the one that is presented in the local media of many of the newspapers and television stations and radio stations of the folks of the hometown of the folks who actually serve in this body; and so I wanted to go there and show people a different picture, another picture that I think they should see.

We went to the Coronado National Forest for the first day, and we looked at the environmental degradation in that forest, brought about by the fact that thousands and thousands and thousands of people coming into the country illegally every single week come across that national forest and do enormous damage to it from an environmental standpoint. They drive across in vehicles creating roads,

"roads," of course, where there should not be roads. They walk across, and the impact of thousands and thousands and thousands of feet on pathways that are created does enormous damage to the environment, very pristine environment, a very delicate environment in the southwest part of the United States, a desert environment.

They start warming fires. These people, undocumented illegal immigrants, start warming fires in the night, walk away from them in the morning; and they, of course, during this draught are devastating. When I was there last, when I was in the Coronado National Forest little over a year ago, I left on a Sunday morning. By the time I returned back to Denver, Colorado, a fire that had started that morning by an illegal alien had consumed 35,000 acres of the Coronado.

The trash that is distributed throughout the forest is enormous, are enormous, monumental. It is hundreds of thousands of pounds of trash discarded by the people coming through there, so much so that one would think that the Coronado National Forest should be renamed the Coronado National Dump because that is what it looks like. Yet, of course, and interestingly we have never seen or ever heard the Sierra Club or any other environmental organization in America take issue with this problem.

One can talk to the forest supervisor. One can talk to anybody who works there, the parks people, the forest service people, and they will tell my colleagues what is happening to that forest as a result of porous borders, as a result of people being shoved out of Mexico by their own government, across the borders by the thousands and into the United States.

We went the next day to Organ Pipe Cactus National Park, just adjacent to the Coronado, also a scene of environmental degradation that is truly disturbing. All of the same problems of the Coronado but it is also the site of the death of a park ranger by the name of Chris Eggle, E-G-G-L-E, Chris Eggle, 28 years old, killed by two Mexicans coming across the border escaping from the crimes they have committed in Mexico, several other murders that they had just committed in relationship to some sort of drug deal, drug situation.

Chris was ambushed by them and killed. His life ended at 28 years old in Organ Pipe Cactus National Park, and we went there to that site with his father, Robert Eggle. Mr. Eggle has relived this event now three or four times. He has gone down to the national park to see where his son was killed and to relive that event, and he does so because he believes that his son's death cannot be forgotten nor should it be in vain, and it should not be in either case. It should not be forgotten, and it certainly should not be in vain.

He talks about the need to secure our own borders. He talks about the need

to prepare and train the people who have to deal with the invasion that is occurring on our southern border so that the next person confronting someone coming across the border armed with AK-47s will be a little more able to defend themselves than poor Chris was.

Then we went the next day to a ranch house, a ranch owned by the Kuykendall family, B.J. and Tom Kuykendall, wonderful people who have lived there for generations, and they brought their neighbors in from all over the county, people who had also lived there for generations and who for generations had dealt with the issue of some degree of illegal immigration, peopling coming across the border periodically. They would seek them out for food. These ranchers would give them food, would sometimes give them jobs; but it was never an issue, never a problem, no big deal.

In the last 4 or 5 years something has changed they say. It has become not just an annoyance; it has become a threat to their very existence. Their ranches are being destroyed. Their cattle are being killed. Their homes are being broken into. Their families are being intimidated. Their entire way of life is being threatened, and they ask, where is my government? Who is here to protect us? What is happening to our life?

Thousands of people we have on videotape, thousands of people crossing those borders, tearing down the fences, breaking the water wells, destroying the property, bringing with them tons of trash, depositing human waste in amounts that are certainly dangerous in terms of the health issues that they represent, bringing with them diseases that we cannot even treat, we do not have means to treat. We do not have the antibiotics to treat some of the most virulent forms of tuberculosis and something called Shakas disease, all these things being brought across by people into the United States.

We are witnessing an invasion. It is an invasion that is being prompted by the Mexican Government to satisfy some of their needs, as was told to me by a Mexican official by the name of Juan Hernandez who was the head of something called the Ministry for Mexicans Living in the United States. And I asked him what is the purpose of such a ministry. It was just created about a year and a half ago, and there were two other Congressmen with me, two other Members of the House who were with me, in Mexico when we visited him.

By the way, Mr. Hernandez is a very, very sophisticated gentleman, very urbane, very competent and articulate and a dual citizen of the United States and Mexico and interestingly serves or served on the cabinet of Vicente Fox, an American citizen serving in Mexico on the cabinet of the Mexican President, an interesting situation. He said, the purpose of my agency is to increase the flow of people into the United

States, of Mexican nationals into the United States. I said what do you want to do that for, knowing in my heart of course exactly why.

Because he had been so forthcoming, so candid, I thought this is great. I have hardly ever heard anybody be so candid about the designs of the Mexican Government vis-a-vis immigration policy; and he said the reason is simple, the more people we have in the United States, the more possibilities there are for us to influence your policy vis-a-vis Mexico, and he said there is the issue of remittances.

"Remittances," for those Members who do not know, Mr. Speaker, is just a term that applies to the money that is sent back home to Mexico from people living outside of Mexico, working outside of Mexico, and it actually amounts to a huge amount of money. Some 30-some percent of the Mexican GDP is a result of these remittances. Mexico has also experienced an enormous population growth, almost doubling in 25 years; and they have a stagnant economy because they are stuck with a socialistic economy which is combined with a completely corrupt system from the cop on the beat to the highest levels of government, and that combination makes for a lousy economy, and always will, regardless of NAFTA or free trade arrangements of any kind. Because of that, of course, they need to get some of those people out of there because they are very young, they are unemployed. That is a destabilizing factor and why not send them north.

We, on the other hand, have chosen to accept this policy on the part of our southern neighbor and "friend," that "friend" by the way who is threatening a "no" vote in the security council against the resolution that we are presenting to bring Saddam Hussein to bay. They are threatening a "no" vote until we agree to some sort of attempt to provide amnesty for all the Mexican nationals living in the United States illegally. That is their quid pro quo. That is what they want.

These are our friends in the south. Now whether they are going to stick, whether we are going to be able to get them to vote "yes" or not soon in the security council remains to be seen, but this is what they are presenting to us as being their demands, like Turkey asking for several billion dollars for the right to provide American troops some air space and flyover opportunities.

He said that, and he went on to say, Mr. Speaker, another fascinating thing as far as I was concerned, an immensely incredible statement. He said it is not two countries we are talking about. It is just a region. It is not two countries he said. It is just a region. That may be his true opinion. It is the opinion I think of some of the colleagues with whom I serve here, that the borders are really not significant. They are not of importance, they are anachronisms, and that they should be

erased for the purposes of allowing for the free flow of goods and services and people. It is a libertarian point of view that is expressed on this floor and by several Members of this body.

Mr. Speaker, I want to engender that debate with those folks. I do not want them just talking about it in the halls or with me individually. I want that debate here on this floor in front of the American people. I want to know whether this government, whether this government believes that, in fact, borders are necessary or not. I want to know the opinion of this government because I think I know the opinion of the people of this country, but I may be wrong. I may be in the minority. Maybe it will turn out that, in fact, borders are determined to be by a majority of the people in this body and the President of the United States, they are determined to be irrelevant and that we should allow for the, again, free flow of people, goods, and services.

If that is a decision that is reached through the process that we have established for making policy in this country, so be it. I am a "no" vote, but so be it.

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What I am telling you, Mr. Speaker, and my colleagues, that what is happening is that that is the direction we are moving. That is the de facto sort of arrangement we are going to achieve, an open borders policy. But it will never be as a result of a debate or a particular piece of legislation where people have to vote yes or no. It will always be done in an incremental fashion. And the people in Cochise County will suffer the consequences. Their lives will be ruined. Their ranches will be destroyed.

But they will just be the tip of the iceberg in terms of the sacrifice that this country will make as a result of our commitment to open borders. Because, of course, the people coming across those borders are not just people who are strewing trash all over the land, breaking fences, poisoning wells, breaking the pipes on wells and allowing all the water to drain out, invading ranch houses, threatening and in fact assaulting ranchers, pulling up these rock barriers on the highway to stop the cars to then carjack the people. It will not be just those people coming across to do "jobs no one else will do."

And, by the way, along those lines, about a month ago in the Rocky Mountain News in Denver, a Denver newspaper, there was a very large article about a restaurant, a Mexican restaurant that I have been to several times, called Luna Restaurant. It is in my old stomping grounds in north Denver, and I know it well. There was an article, a strange article, because it was talking about the fact that this restaurant put an ad in the paper for a waiter, a \$3-an-hour waiter position. Three dollars an hour. Of course, with tips, you get more. That first day that

the ad went in the paper there were 600 applicants for the job. One day, 600 applicants.

Now, do you believe, Mr. Speaker, that every one of those 600 applicants were illegal immigrants wanting to do a job that no American would do? I do not think so. I think there were plenty of American citizens looking for that job. But nonetheless, nonetheless this is what we hear all the time; that that is the only thing we have going on; that these are just people coming to do jobs that no American will do and, therefore, we should not be concerned about what is happening on the border, and we should not be concerned by the Kuykendalls or the Barnetts, or any of the other people who have lived there for generations and who are trying to sustain themselves on that border. We should not be concerned about them. We are going to sacrifice them for cheap labor for the Republicans and for potential votes for the Democrats.

That is why we refuse to secure our borders. It is a political decision of this body to not secure the borders because of the fact that it will harm what we believe to be a political base, a power base that we either want to get or that we have at the present time, and all the time these people are coming across those borders, yes, mostly with no ill intent, most with the same purpose of my grandparents and perhaps yours, who came to seek a better life. But across those porous borders also come other people, people with much more dangerous motives. And you see, Mr. Speaker, we have not figured out a way to create a sieve on the border that effectively siphons out those people who are coming across with no ill intent and keeps out those who have other purposes in mind. We do not know how to do that.

So, therefore, the border is open and we are fearful of closing it. Because if you close the border, if you seal your borders and only allow people to come in legally, then you stop the flow of illegal immigration. And the country of Mexico becomes disturbed by that, because now they have to deal with the problem of unemployment, the problem of their own sinking economy, and the fact that the United States Government may not be quite as sympathetic to their particular concerns. So they do not like the idea of closing those borders and they, in fact, make demands upon the United States to keep those borders open and let their people come through. They even provide buses for them, observed on our side of the border through binoculars; buses that come up to the border and unload people who walk across into the United States. These buses are part of a governmental project, a governmental agency.

We do nothing about it because we are fearful of the response. We do not like the possibility that the political ramifications in the United States to either party might be detrimental. So we put this Nation at risk, we put our

very lives at risk, and we damage not only our national security apparatus and we place upon those agencies given the responsibility for internal security issues, finding out who is here to do us harm, we place upon them enormous burdens of trying to identify people in a sea of people who are here as immigrants. This is not good for the United States.

Beyond that, I go back to the original part of my discussion here this evening. It does something to us, Mr. Speaker, in our inability to create a society that has a singleness of purpose and an understanding of exactly who and what we are. I had the opportunity to have lunch not too long ago with a Catholic bishop in Denver by the name of Bishop Gomez, a very fine gentleman who happens to disagree with me entirely on this issue. And he said to me at lunch, Congressman, I do not know why you get so exercised about this. He said, you know, for the most part, these people coming here from Mexico today, they do not want to be Americans. They do not want to be Americans. He was thinking that would alleviate my concerns. I said, well, of course, Bishop, that is the problem.

The other thing is, the agency I mentioned earlier, the Ministry for Mexicans Living in the United States, the other thing that was stated by Mr. Hernandez in that very candid conversation that we had was that part of his responsibility was to work with the Mexican nationals who had come to the United States to make sure that they retained, as he said, a connection to Mexico, a political, cultural, linguistic connection to Mexico. Because they want them, he said, to continue to have that loyalty to Mexico. Otherwise, pretty soon they are not sending home the kind of money that they are today, and also they are not agitating for any sort of change in American policy to Mexico if they essentially go native. That is really what he was concerned about, that the Mexicans would come here and essentially become part of the American mainstream, integrate into the American culture, become Americans.

But as Bishop Gomez says, that is not their intent. That is not their desire. They are here to get a job, make some money, send it back, perhaps go home later. Well, you see, many people could have come here over the centuries for that same purpose, without any strong desire to become American, but in fact this country forced them into it. There was no such thing as a multiculturalist philosophy that permeated American culture. We did not allow for people to remain segregated for all that long. We required, in order for them to, as my grandfather had to do, in order to achieve anything in this country, he had to do a couple of things. One was to learn English. And my grandfather, and perhaps yours, and certainly most people that I know, their grandparents came here with a strong desire to separate themselves

from the past and from the countries from which they came. No desire to hang on to that. A desire to become American.

And there were obstacles put up sometimes in this country. You know, we were antagonistic to immigrants many times. But over the course of time, and with a strong desire to integrate, what we saw was this infusion of people into the American mainstream that made us a great Nation. Diversity, in fact, can be a good thing. But unity is also a good thing. *E pluribus unum*, out of many, one. Not out of many, many, which is today's concept, today's admonition.

So I think this issue of immigration has many implications, far far greater than, as I say, are discussed most of the time with regard to issues like jobs and other things. This will determine, Mr. Speaker, I believe, not just what kind of country we will be, that is divided or united, but this issue will determine whether we will be a country at all; whether we will be a Nation at all. That is why it is worthy of our debate on this floor and in this House.

We are challenged by a variety of things in this world, and our ability to succeed will be based almost entirely upon our ability to defend, understand and, therefore, defend the principles of western civilization. And I think it is something worth thinking about. And as I say, Mr. Speaker, I may be wrong. I may be totally wrong; completely, 100 percent, wrong. I want the debate, however. Is that too much to ask, I wonder? And let us determine the course of our Nation. Let it not happen in a way that does not allow for the intelligent analysis of the events and their implications. Let us think about who we are, what we are, where we are going, and what we have to do to get there.

We can certainly allow people into this country from all over the world, from Mexico and Africa and Asia and Europe. We can allow them from all over the world, but we have to determine how this will happen and it has to be a process that we determine to be governed by the rule of law. How you come into this country should be a factor of the laws that we pass in this body, and that is all I ask. That is the plea I make tonight. It is for the United States, it is for Western Civilization, and for the threats that I see that are aligned and arrayed against it.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 395. An act to authorize the Federal Trade Commission to collect fees for the implementation and enforcement of a "do-not-call" registry, and for other purposes.

H.J. Res. 19. Joint resolution recognizing the 92d birthday of Ronald Reagan.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOSI) for February 25 and today on account of family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SANDLIN) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. MEEK of Florida, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. STENHOLM, for 5 minutes, today.

Mr. TURNER of Texas, for 5 minutes, today.

Mr. SANDLIN, for 5 minutes, today.

Mr. BOSWELL, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. BAIRD, for 5 minutes, today.

(The following Members (at the request of Mr. RENZI) to revise and extend their remarks and include extraneous material:)

Mr. BURNS, for 5 minutes, February 27.

Mr. KIRK, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. GOODLATTE, for 5 minutes, today.

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 27, 2003, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

766. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Lambda-cyhalothrin; Pesticide Tolerances for Emergency Exemptions [OPP-2002-0335; FRL-7285-2] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

767. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Mesotrione; Pesticide Tolerance [OPP-2002-0303; FRL-7282-4] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

768. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—S-metolachlor; Pesticide Tolerances for Emergency Exemptions [OPP-2002-0331; FRL-7283-2] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

769. A letter from the President and Chairman, Export-Import Bank of the United

States, transmitting a report involving U.S. exports to Italy, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

770. A letter from the Assistant Secretary for Housing—Federal Housing Commissioner, Federal Housing Administration, transmitting the Administration's Annual Report On Initiatives To Address Management Deficiencies Identified In The Audit of FHA's FY 2001 Financial Statements; to the Committee on Financial Services.

771. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Interim Approval of the Alternate Permit Program; Territory of Guam [GU02-01; FRL-7433-5] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

772. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [SW-FRL-7432-8] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

773. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Process for Exempting Quarantine and Preshipment Applications of Methyl Bromide [FRL-7434-1] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

774. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—TSCA Inventory Update Rule Amendments [OPPT-2002-0054; FRL-6767-4] (RIN: 2070-AC61) received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

775. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production [FR-7430-6] (RIN: 2060-AE77) received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

776. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; the District of Columbia; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator (HMIWI) Units [DC051-7002a; FRL-7434-7] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

777. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; the District of Columbia, and the City of Philadelphia, Pennsylvania; Control of Emissions from Existing Municipal Solid Waste Landfills [DC051-7001a; PA186-7001a; FRL-7434-9] received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

778. A letter from the Deputy Assistant for Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of Threatened or Endangered Species Incidental to Commercial Fishing Operations

[Docket 020626160-2309-03; I.D. 061902C] (RIN: 0648-AQ13) received February 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

779. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 021212306-2306-01; I.D. 011402B] received February 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

780. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543 [Docket No. 021212307-2307-01; I.D. 011403C] received February 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

781. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands [Docket No. 021212307-2307-01; I.D. 011303D] received February 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

782. A letter from the Secretary, Department of Education, transmitting Final Regulations—Administrative Wage Garnishment, pursuant to 20 U.S.C. 1232(f); to the Committee on the Judiciary.

783. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Mississippi River, Dubuque, IA [CGD08-02-042] (RIN: 2115-AE47) received February 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

784. A letter from the Secretary, Department of the Treasury, transmitting notification of the Secretary's determination that by reason of the public debt limit, the Secretary will be unable to fully invest the Government Securities Investment Fund of the Federal Employees Retirement System in special interest-bearing Treasury securities beginning on February 20, 2003, pursuant to 5 U.S.C. 8348(l)(2); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 258. A bill to ensure continuity for the design of the 5-cent coin, establish the Citizens Coinage Advisory Committee, and for other purposes; with an amendment (Rept. 108-20). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 105. Resolution providing for consideration of the bill (H.R. 534) to amend title 18, United States Code, to prohibit human cloning (Rept. 108-21). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

[Submitted on February 25, 2003]

By Mr. BEREUTER (for himself, Mr. SHIMKUS, Mr. NUSSLE, and Mr. PETERSON of Minnesota):

H. Res. 106. A resolution congratulating Lutheran schools, students, parents, teachers, administrators, and congregations across the Nation for their ongoing contributions to education, and for other purposes; to the Committee on Education and the Workforce.

[Submitted February 26, 2003]

By Mr. MENENDEZ (for himself, Ms. PRYCE of Ohio, Mr. GREEN of Texas, Ms. ROS-LEHTINEN, Mr. THOMPSON of Mississippi, Mr. LINCOLN DIAZ-BALART of Florida, Mr. RODRIGUEZ, Mrs. WILSON of New Mexico, Mrs. CHRISTENSEN, Mr. QUINN, Mr. SERRANO, Mr. MCCOTTER, Mr. PALLONE, Mr. PEARCE, Mr. UDALL of New Mexico, and Mr. MARIO DIAZ-BALART of Florida):

H.R. 918. A bill to authorize the Health Resources and Services Administration, the National Cancer Institute, and the Indian Health Service to make grants for model programs to provide to individuals of health disparity populations prevention, early detection, treatment, and appropriate follow-up care services for cancer and chronic diseases, and to make grants regarding patient navigators to assist individuals of health disparity populations in receiving such services; to the Committee on Energy and Commerce.

By Mr. ETHERIDGE (for himself, Mr. WELDON of Pennsylvania, Mr. HOYER, Mr. OXLEY, Mr. MCHUGH, Mr. SPRATT, Mr. DEUTSCH, Mrs. MCCARTHY of New York, Mr. SMITH of Michigan, Mr. EMANUEL, Mr. WALSH, Ms. WATSON, Mr. MCINTYRE, Mr. QUINN, Ms. CARSON of Indiana, Mr. WILSON of South Carolina, Mr. KIND, Mr. ACEVEDO-VILA, Mr. SERRANO, Ms. KILPATRICK, Mr. HINCHEY, Mr. MARKEY, Ms. NORTON, Ms. KAPTUR, Mr. SANDLIN, Mr. SHIMKUS, Mr. FRANK of Massachusetts, Mr. WATT, Mrs. MALONEY, Mr. LOBIONDO, Mr. JEFFERSON, Mr. GREEN of Texas, Mr. FROST, Mr. PRICE of North Carolina, Mr. DEFAZIO, Mr. LUCAS of Kentucky, Mr. BOSWELL, Mr. CRANE, Mr. ALLEN, Mr. WEXLER, Mr. BELL, Mr. UDALL of Colorado, Mr. McNULTY, Mr. ACKERMAN, Mr. LAMPSON, Ms. HOOLEY of Oregon, Ms. BALDWIN, Mr. WU, Mr. PALLONE, Mr. BALLANCE, and Mr. MILLER of North Carolina):

H.R. 919. A bill to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits; to the Committee on the Judiciary.

By Mr. BACA (for himself, Ms. WOOLSEY, and Mr. McNULTY):

H.R. 920. A bill to amend the Public Health Service Act to promote careers in nursing and diversity in the nursing workforce; to the Committee on Energy and Commerce.

By Mr. CAMP (for himself, Mr. UPTON, and Mr. SMITH of Michigan):

H.R. 921. A bill to require amounts remaining in Members' representational allowances at the end of a fiscal year to be used for deficit reduction or to reduce the Federal debt, and for other purposes; to the Committee on House Administration.

By Mr. CAMP:

H.R. 922. A bill to amend the September 11th Victim Compensation Fund of 2001 to provide for the liquidation of blocked assets of terrorists and terrorist organizations in order to reimburse the Treasury for the compensation of claimants; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOOLITTLE:

H.R. 923. A bill to amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve; to the Committee on Small Business.

By Mr. DUNCAN:

H.R. 924. A bill to direct the Secretary of the Interior to replace the U.S. Fish and Wildlife Service as the Federal agency responsible for the administration, protection, and preservation of Midway Atoll, and for other purposes; to the Committee on Resources.

By Mr. GUTIERREZ (for himself, Mr. RUSH, Mr. LIPINSKI, Ms. SCHAKOWSKY, Mr. WELLER, Mr. SHIMKUS, Mr. EVANS, Mr. EMANUEL, Mr. JACKSON of Illinois, Mr. COSTELLO, Mr. JOHNSON of Illinois, Mr. DAVIS of Illinois, Mr. CRANE, Mr. LAHOOD, Mrs. BIGGERT, and Mr. MANZULLO):

H.R. 925. A bill to redesignate the facility of the United States Postal Service located at 1859 South Ashland Avenue in Chicago, Illinois, as the "Cesar Chavez Post Office"; to the Committee on Government Reform.

By Ms. HART (for herself, Mr. PITTS, Mr. HAYES, Mr. PICKERING, Mr. TERRY, Mr. DOOLITTLE, Mr. WILSON of South Carolina, Mr. SENSENBRENNER, Mr. LEWIS of Kentucky, Mr. SHIMKUS, Mr. ADERHOLT, Mr. PENCE, Mr. AKIN, Mr. KENNEDY of Minnesota, Mr. ROGERS of Michigan, Mr. BARTLETT of Maryland, Mr. FORBES, Mr. RYUN of Kansas, Mr. DEMINT, Mrs. MYRICK, Mr. PAUL, Mr. BURTON of Indiana, Mr. SCHROCK, Mr. RENZI, Mr. ROGERS of Alabama, Mr. KING of Iowa, Mrs. JO ANN DAVIS of Virginia, Mr. BEAUPREZ, Mr. SAM JOHNSON of Texas, Mr. KLINE, Mr. WELDON of Florida, Mr. HOEKSTRA, Mrs. NORTUP, Mr. RYAN of Wisconsin, Mr. SHADEGG, Mr. SOUDER, Mr. PEARCE, Mr. HOSTETTLER, Mr. CHABOT, Mr. FLAKE, Mr. BRADY of Texas, Mr. VITTER, Mr. TOOMEY, Mr. LAHOOD, Mr. STEARNS, and Mr. NORWOOD):

H.R. 926. A bill to amend the General Education Provisions Act to prohibit Federal education funding for elementary or secondary schools that provide access to emergency postcoital contraception; to the Committee on Education and the Workforce.

By Mr. HULSHOF (for himself and Mr. SANDLIN):

H.R. 927. A bill to amend the Internal Revenue Code of 1986 to provide for Farm and Ranch Risk Management Accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. ISAKSON:

H.R. 928. A bill to suspend temporarily the duty on Cerium Sulfide; to the Committee on Ways and Means.

By Mr. ISAKSON:

H.R. 929. A bill to suspend temporarily the duty on 1,8-Dichloroanthraquinone; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut:

H.R. 930. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. PAUL, Mr. GOODE, Mr. CRANE, Mr. DUNCAN, Mr. FORBES, Mr. AKIN, Mr. EVERETT, Mr. COBLE, Mr. BURR, Mr.

BAKER, Mr. NEY, Mr. KING of Iowa, and Mr. DOOLITTLE):

H.R. 931. A bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK (for himself, Mr. LARSEN of Washington, Mrs. DAVIS of California, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. MCINTYRE, Mr. COSTELLO, Mr. FILNER, Mr. SCHROCK, Mr. RUSH, Mr. DAVIS of Illinois, Mr. RODRIGUEZ, Mr. GREEN of Wisconsin, Mrs. KELLY, Mr. BELL, Mr. RENZI, Mrs. TAUSCHER, Mrs. JO ANN DAVIS of Virginia, Mr. HONDA, Mr. STENHOLM, Mr. UDALL of New Mexico, Mr. SIMMONS, Mr. HERGER, Mr. TAYLOR of Mississippi, Mrs. MCCARTHY of New York, Mr. PAYNE, Mr. PETERSON of Minnesota, Mr. HINCHEY, Mr. CARSON of Oklahoma, Mr. INSLEE, and Mr. EVANS):

H.R. 932. A bill to amend the impact aid program under the Elementary and Secondary Education Act of 1965 to improve the delivery of payments under the program to local educational agencies; to the Committee on Education and the Workforce.

By Mr. KOLBE (for himself, Mr. PASITOR, Mr. SHADEGG, Mr. HINOJOSA, Mr. REYES, Mr. FLAKE, Mr. BERMAN, Mr. FILNER, Mrs. DAVIS of California, Mr. HAYWORTH, Mr. HUNTER, Mr. RODRIGUEZ, Mr. ORTIZ, and Mr. GRIJALVA):

H.R. 933. A bill to amend the Immigration and Nationality Act to authorize appropriations for fiscal years 2004 through 2010 to carry out the State Criminal Alien Assistance Program; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York:

H.R. 934. A bill to amend the Higher Education Act of 1965 to expand the loan forgiveness and loan cancellation programs for teachers, to provide loan forgiveness and loan cancellation programs for nurses, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MCDERMOTT (for himself, Mr. ABERCROMBIE, Mr. MATSUI, Ms. NORTON, Ms. LEE, Mr. FILNER, Mr. NADLER, Mr. GEORGE MILLER of California, Ms. CARSON of Indiana, Ms. LOFGREN, Mr. LANTOS, Mr. WAXMAN, Mr. KOLBE, Ms. WOOLSEY, Mr. BLUMENAUER, and Mr. BERMAN):

H.R. 935. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Mr. WEXLER, Mr. HOFFFEL, Mrs. NAPOLITANO, Mr. PAYNE, Mr. OWENS, Mr. SERRANO, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. ANDREWS, Mr. UDALL of New Mexico, Mr. BROWN of Ohio, Mr. ABERCROMBIE, Mrs. DAVIS of California, Ms. LEE, Ms. WOOLSEY, Ms. SOLIS, Mr. KUCINICH, Ms. MILLENDER-MCDONALD, Mr. SCOTT of Virginia, Mr. MORAN of Virginia, Mr. TIERNEY, Ms. PELOSI, Mr. STARK, Ms. WATSON, Mr. FARR, and Ms. LOFGREN):

H.R. 936. A bill to leave no child behind; to the Committee on Ways and Means, and in

addition to the Committees on Energy and Commerce, Education and the Workforce, Agriculture, the Judiciary, Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas (for himself, Mr. TURNER of Texas, Mr. BERRY, Mr. OTTER, Ms. BALDWIN, Mr. PICKERING, Mr. OSBORNE, Mr. HASTINGS of Washington, Mr. PAUL, Mr. MCINTYRE, Mr. SANDLIN, Mr. KIND, Mr. TIAHRT, Mr. MURTHA, Mr. WHITFIELD, Mr. STENHOLM, and Mr. FROST):

H.R. 937. A bill to amend title XVIII of the Social Security Act to provide for improvements in access to services in rural hospitals and critical access hospitals; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 938. A bill to prohibit Federal payments to any individual, business, institution, or organization that engages in human cloning; to the Committee on Energy and Commerce.

By Mr. PENCE:

H.R. 939. A bill to amend title 18, United States Code, to punish persons who use false or misleading domain names to attract children to Internet sites not appropriate for children; to the Committee on the Judiciary.

By Mr. RAMSTAD:

H.R. 940. A bill to amend the Internal Revenue Code of 1986 to provide that the foreign tax credit not be redetermined with respect to refunds of unlawful foreign taxes to taxpayers who successfully challenge those taxes; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself, Ms. ESHOO, Mr. PITTS, Mr. CRANE, Mr. CAMP, and Ms. DUNN):

H.R. 941. A bill to amend title XVIII of the Social Security Act to provide for the expeditious coverage of new medical technology under the Medicare Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REGULA (for himself, Ms. BALDWIN, Mr. CUNNINGHAM, Mr. GOODLATTE, Mr. HAYES, Mr. OTTER, Mr. PICKERING, Mr. ROGERS of Michigan, Mr. SCHROCK, Mr. SIMMONS, Mr. TANCREDO, Mr. WAMP, Mr. WICKER, Mr. WILSON of South Carolina, Mrs. JO ANN DAVIS of Virginia, and Mr. HOEKSTRA):

H.R. 942. A bill to amend the Higher Education Act of 1965 to provide student loan borrowers with a choice of lender for loan consolidation; to the Committee on Education and the Workforce.

By Mr. RYUN of Kansas (for himself, Mr. WALSH, Mr. PAYNE, and Mrs. MCCARTHY of New York):

H.R. 943. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids; to the Committee on Ways and Means.

By Mr. SIMMONS (for himself, Mrs. MCCARTHY of New York, Mr. PAUL, Mr. MCGOVERN, Mr. BERUTER, Mr. OBERSTAR, Mr. FLAKE, Mrs. JOHNSON of Connecticut, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. FRANK of Massachusetts, Mr. TIERNEY, Mr. MCHUGH, Ms. CARSON of Indiana, Mr. CASE, Mr.

GREEN of Wisconsin, Mr. KILDEE, Mr. BAKER, Mr. ETHERIDGE, Mr. MEEHAN, Mr. MICHAUD, Mr. SHIMKUS, Ms. LOFGREN, Mr. ROTHMAN, Mr. JONES of North Carolina, Mr. GERLACH, Mr. MATHESON, Mr. SHAYS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MANZULLO, Mr. HOLDEN, Ms. HART, Ms. NORTON, and Ms. WOOLSEY):

H.R. 944. A bill to ensure that amounts in the Victims of Crime Fund are fully obligated; to the Committee on the Judiciary.

By Mr. STEARNS (for himself, Mr. TOWNS, Mr. BASS, Mr. DEAL of Georgia, and Mr. WALDEN of Oregon):

H.R. 945. A bill to exercise authority under article I, section 8, clause 3 of the Constitution of the United States to clearly establish jurisdictional boundaries over the commercial transactions of digital goods and services conducted through the Internet, and to foster stability and certainty over the treatment of such transactions; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO (for himself, Mr. SAM JOHNSON of Texas, Mr. DEAL of Georgia, Mr. KING of Iowa, Mr. NORTON, Mr. DUNCAN, and Mr. GOODE):

H.R. 946. A bill to effect a moratorium on immigration; to the Committee on the Judiciary.

By Mr. WEINER:

H.R. 947. A bill to authorize local educational agencies to prohibit the transfer of students under section 1116 of the Elementary and Secondary Education Act of 1965 to schools that are at or above capacity, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WICKER (for himself and Mr. PICKERING):

H.R. 948. A bill to amend title 23, United States Code, to require the Secretary of Transportation to carry out a grant program for providing financial assistance for local rail line relocation projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WYNN:

H.R. 949. A bill to prohibit certain transfers or assignments of franchises, and to prohibit certain fixing or maintaining of motor fuel prices, under the Petroleum Marketing Practices Act; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 950. A bill to expand Alaska Native contracting of Federal land management functions and activities and to promote hiring of Alaska Natives by the Federal Government within the State of Alaska, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 951. A bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of lands to Alaska Native veterans; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 952. A bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction for certain expenses incurred by whaling captains in support of Native Alaskan subsistence whaling; to the Committee on Ways and Means.

By Mr. EVANS:

H. Con. Res. 56. Concurrent resolution expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual; to the Committee on Transportation and Infrastructure.

By Mr. McCOTTER (for himself, Mr. DINGELL, Mr. UPTON, and Mr. STUPAK:

H. Res. 100. A resolution recognizing the 100th anniversary year of the founding of the Ford Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations, and a revolutionary industrial and global institution.

By Mr. MENENDEZ:

H. Res. 104. A resolution electing Members and Delegates to certain standing committees of the House of Representatives; considered and agreed to.

By Mrs. MYRICK:

H. Res. 105. A resolution providing for consideration of the bill (H.R. 534) to amend title 18, United States Code, to prohibit human cloning.

By Mr. BOOZMAN (for himself and Mr. BLUNT):

H. Res. 107. A resolution commending and supporting the efforts of Students in Free Enterprise (SIFE), the world's preeminent collegiate free enterprise organization, and its president, Alvin Rohrs; to the Committee on Education and the Workforce.

By Mr. PALLONE:

H. Res. 108. A resolution expressing the sense of the House of Representatives that India should be a permanent member of the United Nations Security Council; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. BEAUPREZ, Mrs. CUBIN, Mr. ISSA, and Mr. SAXTON.

H.R. 40: Mr. OLVER, Ms. LEE, and Mr. BISHOP of GEORGIA.

H.R. 57: Mr. CHOCOLA, Mr. SMITH of Texas, Ms. GERLACH, Mr. TAUZIN, Ms. GINNY BROWN-WAITE of Florida, Mr. GUTKNECHT, Mrs. MUSGRAVE, Mr. FORBES, and Mr. BISHOP of Utah.

H.R. 97: Mr. STUPAK, Mr. GOODE, and Mr. JEFFERSON.

H.R. 111: Mr. CULBERSON, Mr. KUCINICH, Mr. PALLONE, Mr. BISHOP of Georgia, and Mr. CLAY.

H.R. 133: Mr. GOODE.

H.R. 168: Ms. ROS-LEHTINEN and Mr. GREEN of Wisconsin.

H.R. 200: Mr. RODRIGUEZ.

H.R. 218: Ms. MCCARTHY of Missouri, Mr. CHABOT, Mr. GALLEGLY, Mr. WEINER, and Mr. LANGEVIN.

H.R. 258: Mr. HILL.

H.R. 279: Mr. MCINTYRE.

H.R. 300: Mrs. JO ANN DAVIS of Virginia.

H.R. 302: Mr. STUPAK and Mr. BURR.

H.R. 303: Mr. POMEROY, Mr. SHAYS, Mr. BONNER, Mr. INSLEE, Mr. FLAKE, Ms. LOFGREN, Mr. ROGERS of Kentucky, Mr. CARDOZA, Mr. SANDERS, and Mrs. KELLY.

H.R. 313: Mr. MATHESON.

H.R. 339: Mr. ISAKSON, Mr. BARRETT of South Carolina, Mr. OXLEY, Mr. SOUDER, Mr. WAMP, Mr. FOLEY, and Mr. CANNON.

H.R. 343: Mr. GREEN of Wisconsin and Mr. GRIJALVA.

H.R. 348: Mr. EVANS.

H.R. 377: Mr. SIMMONS and Mr. HOSTETTLER.

H.R. 430: Mr. WICKER.

H.R. 440: Ms. VELAZQUEZ, Mr. RANGEL, and Mr. OWENS.

H.R. 442: Mr. GREEN of Texas, Mr. MCDERMOTT, Mr. PAUL, Mr. SHIMKUS, Mr. PASTOR, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. HOLDEN, Mr. TERRY, Mr. BROWN of Ohio, Mr. UPTON, Mr. MURPHY, and Mr. FROST.

H.R. 457: Mr. HOSTETTLER.

H.R. 466: Mr. SCHIFF, Ms. WOOLSEY, Mr. LIPINSKI, Mr. CARDOZA, and Mr. STARK.

H.R. 483: Mr. HOSTETTLER.

H.R. 485: Mr. MCDERMOTT and Ms. SCHAKOWSKY.

H.R. 498: Mr. SESSIONS and Mrs. MUSGRAVE.

H.R. 501: Mr. MCHUGH, Mr. FALCOMA, and Mr. FORBES.

H.R. 502: Mr. BARRETT of South Carolina.

H.R. 504: Ms. LEE and Mr. ACEVEDO-VILA.

H.R. 515: Mr. ABERCROMBIE, Mr. BAIRD, Mr. BRADY of Pennsylvania, Mr. BERMAN, Mr. KUCINICH, and Mr. RYAN of Ohio.

H.R. 528: Mr. LIPINSKI.

H.R. 588: Mr. HOFFEL, Mr. OWENS, and Mr. BROWN of Ohio.

H.R. 627: Mr. BISHOP of Georgia, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. GOODE, Ms. HART, Ms. KAPTUR, Mr. LAMPSON, Mrs. NAPOLITANO, Mr. PAYNE, Mr. RAHALL, Mr. SCHROCK, Mr. SHUSTER, and Mr. THOMPSON of Mississippi.

H.R. 662: Mr. STENHOLM, Mr. PAUL, Mr. TOWNS, Mr. FRANK of Massachusetts, Mr. GILLMOR, Mr. MARSHALL, Mr. FROST, Mr. REYES, Mr. KOLBE, Mr. SNYDER, Mr. FOLEY, Mr. WILSON of South Carolina, Mr. NEY, Mrs. JONES of Ohio, Mr. CASE, Mr. FORD, Mr. SIMMONS, Mr. UDALL of Colorado, and Mr. OWENS.

H.R. 672: Mr. ORTIZ, Mr. OWENS, Ms. JACKSON-LEE of Texas, Mr. PORTER, Ms. LINDA T. SANCHEZ of California, and Mr. GRIJALVA.

H.R. 695: Mrs. MUSGRAVE and Mr. MATHE-SON.

H.R. 709: Mr. STUPAK and Mr. BEREUTER.

H.R. 714: Mr. SIMPSON and Mr. CANTOR.

H.R. 721: Mr. KILDEE and Mr. SANDERS.

H.R. 735: Mr. KOLBE.

H.R. 737: Ms. KILPATRICK, Mrs. MCCARTHY of New York, Mr. EMANUEL, Mr. CARDIN, and Mr. LIPINSKI.

H.R. 740: Mr. GUTIERREZ, Ms. JACKSON-LEE of Texas, Mr. DICKS, and Mr. CASE.

H.R. 741: Ms. LEE.

H.R. 742: Mr. KILDEE, Mr. MORAN of Kansas, Mr. FLETCHER, Mr. ANDREWS, Mr. GOODE, and Mr. BOYD.

H.R. 743: Mr. HULSHOF, Mr. HAYWORTH, Mr. MCNULTY, Mr. ANDREWS, Mr. ROSS, and Mr. MARSHALL.

H.R. 751: Mr. GRIJALVA.

H.R. 756: Mr. LIPINSKI.

H.R. 760: Mr. SHIMKUS, Mr. TAUZIN, Mr. BARTLETT of Maryland, Mr. KING of New York, Mr. WELLER, Mr. ALEXANDER, Mr. SKELTON, Mr. BUYER, Mr. NUSSLE, Mr. FLAKE, and Mr. PETERSON of Minnesota.

H.R. 765: Mr. WILSON of South Carolina and Mr. RENZI.

H.R. 768: Mr. WEXLER, Mr. MATHESON, and Mr. OWENS.

H.R. 773: Mr. BECERRA.

H.R. 784: Mrs. CHRISTENSEN, Mr. LATOURETTE, and Mr. UPTON.

H.R. 785: Mr. FROST, Mr. SOUDER, Mr. DEUTSCH, and Mr. POMEROY.

H.R. 794: Mr. CANNON and Mr. BISHOP of Utah.

H.R. 801: Mr. CONYERS and Ms. LOFGREN.

H.R. 813: Ms. WOOLSEY.

H.R. 841: Mr. PASTOR.

H.R. 847: Mr. CASE, Ms. SLAUGHTER, Mr. BISHOP of New York, Mr. RAHALL, Mrs. NAPOLITANO, Mr. WEINER, Mr. ALLEN, Mr. BELL, Mr. WEXLER, Mr. KLECZKA, Mr. MICHAUD, and Mrs. JONES of Ohio.

H.R. 865: Ms. HARMAN and Mr. WEXLER.

H.R. 866: Mr. BURGESS.

H.R. 874: Mr. SIMMONS.

H.R. 876: Mr. GRAVES and Mr. ISAKSON.

H.R. 878: Mr. PORTMAN, Mr. MCINNIS, Mr. MCCRERY, Mr. JONES of North Carolina, Mr. COLE, and Mr. SIMMONS.

H.R. 887: Mr. GREEN of Texas, Mr. UDALL of Colorado, Mr. ROSS, Mr. FROST, Ms. MILLENDER-MCDONALD, and Mr. CARDOZA.

H.R. 891: Ms. WOOLSEY and Mr. WYNN.

H.R. 892: Mr. MCNULTY.

H.R. 894: Ms. KILPATRICK, Mr. PAYNE, and Mr. MCNULTY.

H.J. Res. 3: Mr. POMBO.

H.J. Res. 10: Mr. COX.

H. Con. Res. 18: Mr. CONYERS.

H. Con. Res. 36: Mr. HILL.

H. Con. Res. 38: Mr. FROST.

H. Con. Res. 39: Ms. SCHAKOWSKY and Mr. BRADY of Pennsylvania.

H. Res. 42: Mr. HOSTETTLER.

H. Res. 53: Mr. RANGEL, Ms. CORRINE BROWN of Florida, Mr. EMANUEL, Ms. LOFGREN, Ms. JACKSON-LEE of Texas, and Mr. STARK.

H. Res. 72: Mr. BROWN of Ohio, Mr. MCNULTY, Mr. MOORE, and Mr. MORAN of Virginia.

H. Res. 76: Mr. KING of New York, Mr. SOUDER, Mr. WEINER, and Ms. LOFGREN.